



Northumberland County Council

TYNEDALE LOCAL AREA COUNCIL

Date: 15th February 2022

Land at Mickley Square: Application for land to be registered as
Town or Village Green

Purpose of report.

The purpose of this report is

- 1) to inform the Committee of the Inspector's recommendations as to whether the application to register land at Bewick Green, Mickley Square should be granted and
- 2) for Members to then determine if the application to register the land should be rejected.

Recommendations:

To adopt the recommendation of the Inspector, Mr James Marwick, namely that the application to register land at Bewick Green, Mickley Square, Stocksfield as a Town or Village Green be rejected.

Key issues

1. The Council is the Commons Registration Authority under the provisions of the Commons Act 2006 and is obliged to amend the statutory register where any unregistered land within Northumberland becomes a Town or Village Green within the meaning of the Act.
2. On 7th January 2019 Northumberland County Council as Commons Registration Authority received an application from Mr George Hepburn OBE for the registration of land at Bewick Green, Mickley Square, Stocksfield as Village Green.

3. The application was supported by 24 signed statements and, in accordance with the Commons (Registration of Town or Village Greens) (Interim Arrangements) (England) Regulations 2007 the application was publicised. Only one representation was received from the Highways Authority but this was subsequently withdrawn after the Applicant agreed to exclude the highways from his application. A non-statutory Inquiry was held remotely on 3rd March 2021 which was presided over by an independent inspector, a specialist barrister, namely Mr James Marwick of Trinity Chambers in Newcastle. A one day Inquiry was held with a view to undertaking an examination of the evidence submitted by the parties concerned and for the Inspector to then prepare a report in relation to his findings for subsequent consideration by the Tynedale Local Area Council.
4. Mr Marwick has now produced his report which is attached as Appendix 1.

Report Author Helen Lancaster Senior Manager Legal Services

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BACKGROUND

Consideration of the Application and Objections

1. The Committee must determine whether this application should be accepted or rejected. Whilst the Committee is not bound to follow the Inspector's recommendations, it will need to give full consideration to the findings of the Inspector which were made after a one day Inquiry on the facts and the law. The Inspector heard and considered the evidence, analysed the relevant facts and has applied the law to those facts. Matters such as planning merits and social needs cannot be taken into account when considering whether land should be registered; the Committee's consideration is limited to whether or not the statutory criteria set out below have been established.
2. The Inspector has produced a detailed report which is attached as Appendix 1 which contains his recommendations.

Outline of relevant issues

3. The Council is the Registration Authority for the registration of Town and Village Greens and has a statutory duty to decide whether an application should be accepted or rejected.
4. The Application has been made pursuant to the Commons Act 2006. The Act requires each registration authority to maintain a register of town and village greens within its area. Section 15 provides for the registration of land as town and village green where the relevant statutory criteria are established in relation to such land.
5. This Application was made under s15 (1) of the Commons Act 2006 (*'any person may apply to register land ...as a town or village green where subsection (2)..applies'*) on the basis that section 15 (2) applied.
6. Section 15 (2) applies where –
 - a) *a significant number of the inhabitants of any locality, or of any neighbourhood within a locality, have indulged as of right in lawful sports and pastimes on the land for a period of at least 20 years; and*
 - b) *they continue to do so at the time of the application.*
7. To be successful in an application an applicant must establish that **all** of the statutory criteria have been satisfied.

The Land

8. The application concerns land at Bewick Green, Mickley Square. The land is located at the junction of Bewick Garth and Station Bank in the

village of Mickley (itself located between Prudhoe and Stocksfield, and sometimes known as Mickley Square). The application land comprised areas of mainly grassed open space either side of the public highway.

Ownership

9. Upon enquiries being made with HM Land Registry the land was confirmed to be unregistered.

The Application

10. The Application was made on the basis that it is a limb (ii) case, namely one relying on use by a significant number of the inhabitants of a neighbourhood within a locality rather than simply a locality. The original application received on 24th March 2018 was later amended to include reference to a relevant locality on 7th January 2019. The Application asserted that the 24 signed statements showing use of the land for activities including dog walking, playing football camping and participation in the annual barbecue provided justification for the application to register the land as a town or village green.

Representations

11. **County Council Highways**- only one representation was received from Highways who stated that the present day alignment of the highway seems to have been in place since approximately 1980 and map evidence appears to indicate that there was an access road across the claimed route since 1921. Their objection was therefore that this part of the application site is a public right of way for highways purposes for all types of traffic and questioned whether its statutory registration as a village green is compatible with it being a highway.
12. **The Applicant** – The Applicant was given the opportunity to comment on the objection and stated that the existence of a public road across the Green was not a reason to refuse the application and that the advice of the Open Spaces Society on this issue was that the representation from the Highways Authority would not prevent the Green from being registered. However, Directions were then issued by the Inspector and the Applicant subsequently agreed to exclude the highway land from his application.
13. The matter then proceeded to an Inquiry to examine these issues, and the Inspector, Mr Marwick was appointed and gave initial directions. He then held a pre-inquiry hearing and gave directions for the conduct of the Inquiry.
14. The Inquiry took place remotely at which the Applicant and four other witnesses gave evidence and the Applicant made submissions

Legal Issues/statutory criteria

15. The burden of proving that the application land has become a town or village green lies with the applicant. The standard of proof is the balance of probabilities. The statutory criteria are as paragraph 6 above; each element of the statutory criteria must be proved on the balance of probabilities.

The Inspector's report

16. The Inspector goes through each of the relevant statutory considerations and confirms that his recommendations are that the application must fail because a significant number of local inhabitants have not indulged in lawful sports and pastimes during the relevant 20 year period.
17. He recommends accordingly to the Registration Authority that the application be dismissed with the reasons for the dismissal being stated as those set out in this report.

BACKGROUND PAPERS

Commons Act 2006

IMPLICATIONS ARISING OUT OF THE REPORT

Policy: N/A

Finance and value for money N/A.

Legal

The determination of an application involves the taking of a quasi-judicial decision which may be the subject of legal challenge. It is therefore essential that the evidence relating to the application is properly tested prior to the taking of any decision. Having read the report of the Inspector and in particular with regard to his overall conclusions and recommendations it is considered that he has undertaken a thorough Inquiry in relation to all the relevant aspects of both the village green application and the objections thereto. He has considered all the evidence and submissions in applying the law to his considerations.

Human Resources: N/A.

Property N/A

Equalities

(Impact Assessment attached)

Yes No N/A

Risk Assessment

Given the contentious nature of this application there may be a risk of challenge with associated costs implications

Carbon Reduction

None.

Crime & Disorder

N/A

Customer Considerations:

N/A.

Consultation

The statutory consultation processes have been followed.

Wards

Cramlington West

Appendices

Appendix 1: Report of James Marwick dated 29th March 2021

Appendix 2: Final submissions of the Applicant.

Appendix 3: Inquiry bundle containing redacted copies of the application, evidence in support, Directions, plans and other relevant information.

Appendix 1

**IN THE MATTER OF AN APPLICATION TO REGISTER LAND AT BEWICK
GREEN IN MICKLEY AS A TOWN OR VILLAGE GREEN**

AND IN THE MATTER OF THE COMMONS ACT 2006 (AS AMENDED)

REPORT
Of
James Marwick
29th March 2021

**Northumberland County Council
County Hall
Morpeth
Northumberland**

-Application Number VG84/2018-

**IN THE MATTER OF AN APPLICATION TO REGISTER LAND AT BEWICK
GREEN IN MICKLEY AS A TOWN OR VILLAGE GREEN**

WRITTEN REPORT

Introduction

1. This written report relates to an application by Mr. George Hepburn OBE made under section 15 of the Commons Act 2006 (as amended) (the **Act**) for the registration of land known as and situate at Bewick Green in Mickley as a town or village green.
2. I was instructed by Northumberland County Council in its capacity as the relevant Registration Authority to hold a non-statutory public inquiry in relation to the application and to provide my findings and recommendations by way of a written report for consideration by the Registration Authority.
3. The Inquiry was held remotely on 3rd March 2021. Mr. Hepburn was the only interested party who appeared at the Inquiry. I was extremely grateful for the manner and skill in which he presented his case to the Inquiry which was of significant assistance. I express my thanks to him and to all the witnesses who gave evidence by Zoom. I was entirely satisfied that a fair hearing was achieved and that Mr. Hepburn was afforded a fair and reasonable opportunity to present his case for registration.
4. The evidence was completed within a morning and I subsequently received additional closing submissions from Mr. Hepburn on 12th March 2021 in accordance with my directions.
5. There had been a single bundle for the purposes of the Inquiry which contained *among others* the application, the representations and documentary evidence relied on in support of the application and relevant correspondence between the Registration Authority and the interested parties. References in square brackets in this report are to page numbers in the bundle. The bundle should be annexed to this report, together with the further closing submissions of Mr. Hepburn, for the purposes of the presentation of this report to the relevant committee.
6. I set out my recommendations to the Registration Authority in this report. I make clear at the outset of this Report that the Inquiry was not concerned with the merits or otherwise of any future development of the application land but rather whether the statutory test for registration under section 15(2) of the Act is satisfied.

The Application

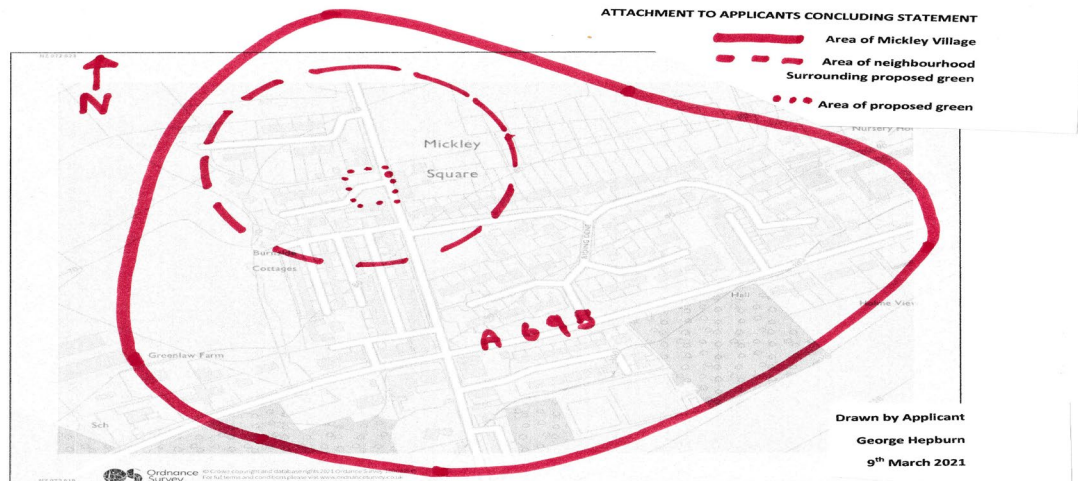
7. The application (originally received on 24th March 2018, but later amended to include reference to a relevant locality on or about 7th January 2019) was made by Mr. Hepburn under section 15(1) of the Act and sought registration in accordance with alleged qualifying user under section 15(2) of the Act [A2].
8. The application sought registration of land located at the junction of Bewick Garth and Station Bank in the village of Mickley (itself located between Prudhoe and Stocksfield, and sometimes known as Mickley Square). The application land comprised areas of mainly grassed open space either side of the public highway. The application as originally submitted sought registration of the public highway itself but Mr. Hepburn, sensibly in the circumstances, agreed to withdraw the application insofar as it related to the public highway upon an objection by Northumberland County Council in its capacity as Highways Authority being raised (email exchange at [C6] confirms this).
9. The application land can be clearly seen in the photographs exhibited to the application [A19-20] and I have also had the benefit of being able to view the same using Google Street Views. For ease of reference for anyone reading this report, the below screenshot shows the application land either side of the carriageway. Mr. Hepburn's house can be seen on the left hand side of the screenshot immediately adjacent to one of the grassed areas. It was not suggested that there had been any marked change in appearance of the application land in the relevant 20 year period.



10. The locality relied on in the application was the Mickley Electoral Ward. At the Inquiry Mr. Hepburn made clear that he would seek to rely on either the village of Mickley as the relevant neighbourhood within a locality or, alternatively and primarily, that there was a more immediate

neighbourhood comprising the streets in the vicinity of the application land in the part of the village in question.

11. I invited Mr. Hepburn to submit a relevant plan delineating the boundaries of such a neighbourhood and he duly did so with his closing submissions. For ease of reference, I set out a copy of the relevant plan submitted with the closing submissions below.



12. There were letters of support from approximately 20 households comprising inhabitants or former inhabitants of Mickley, submitted with the application, which spoke generally to continuous user of the application land for lawful sports and pastimes in the 20 years preceding the application. The evidence in support was largely from those who live or have lived in immediate close proximity to the application land. The two grassed areas of open space either side of the public highway are unregistered land according to the Land Registry.

13. The Registration Authority consulted on the application and only a single representation was received, from Northumberland County Council in its capacity as the relevant Highways Authority. In that representation dated 8th August 2019 the Highways Authority objected to registration of the application land insofar as it comprised the public highway on the basis that registration was incompatible with its status as a public right of way. As I have set out above, that objection has now fallen away given the concessions made by Mr. Hepburn.

Evidence

14. In accordance with my directions there was evidence from Mr. Hepburn and four other witnesses at the Inquiry selected by Mr. Hepburn [A33]: Mr. Christopher Johnson [A37], Mr. Leslie Ashworth [A23], Mrs. Susan Green [A29] and Reverend Mark Sharman [A45]. All were open, honest and straightforward witnesses doing their best to assist the Inquiry. Each had provided letters in support of the application and

supplemented their evidence orally. I was able to ask them questions material to my considerations.

15. I was satisfied that the evidence from these witnesses was likely reflective of the evidence that would have come from the majority of any other witnesses in support of the application. My overall impression from the witness evidence was that the application land was not a destination in itself for lawful sports and pastimes for a large number of residents in the village but would rather be used perhaps several times a week by children living in the immediate vicinity given it was a safe and easily accessible open space, supplemented by dog walkers who might wander on to the grassed areas with their dogs as part of longer walks.
16. There would be occasional use by others such as those meeting friends whilst out on walks. There was an annual BBQ from about 2008 to 2017 which was the main organised activity which took place on the grassed areas, sometimes attended by up to about 50 people. There were other larger areas of open space in the village including a football field and a nearby green closer to the heart of the village adjacent to Riding Dene and Station Bank. The witnesses were accepting that, in general terms, such open spaces may have been more of a draw for villagers generally but were clear where necessary as regards the particular qualities of the application land which made it an attractive open space especially for younger children living in its immediate vicinity.
17. I summarise the oral evidence below though I touch upon any discrete matters of evidence as necessary in my analysis of the application later in this report.
18. Mr. Hepburn had lived at Bewick House immediately adjacent to the application land since 2007. His own user of the application land for sports and pastimes had been relatively limited save that he was the main organiser of the residents' BBQ which had happened every year from about 2008 to 2017 on the area immediately outside of his house. He was able to speak to regular user by dog walkers and groups of children playing, though my impression was not of sustained heavy user but rather of user perhaps several times a day on average by dog walkers and, subject to the season and weather, groups of local children. Mr. Hepburn had helped to maintain the land by mowing the grass and occasionally had dealt with tree pruning.
19. Mr. Johnson was a long term local resident of the Mickley area and for many years had run the local newsagent just beyond the application green (until about 2008). He in fact recalled assisting with the planting of a sapling on one of the parcels of grassed land when it had first been laid out. His evidence was that the application land had been laid out as amenity land at the same time as the development of the adjacent housing. Again, his own user of the land appeared to be relatively limited but he did confirm the user of the land by local dog walkers and children. Mr. Johnson also spoke to the sense of neighbourhood in the

immediate vicinity of the application land referencing a close knit community in that part of the village as distinct from in particular the Riding Dene estate.

20. Mrs. Green had lived at 1 Eltringham Cottages since about 1996, an address which overlooked the application land. Her children had grown up using the application land. Her son in particular had not liked using the large open space in the heart of the village. There had been user on a regular basis by children and dog walkers though the extent of user would be weather dependent. Children might be on there up to once per day. It was easily accessible for her family. They had attended the BBQs referred to by Mr. Hepburn.
21. Reverend Sharman had lived at 4 Eltringham Cottages since about 1995. He considered the application land to be a positive space which dog walkers would use and where children would play. His three children had used the application land occasionally as had Reverend Sharman himself. Again I formed the impression from his evidence that there was not heavy user of the application land but rather the expected user by local children from time to time, and as a stopping point for dog walkers.
22. Mr. Ashworth had lived in Mickley for many years. At material times he and his family had lived at 23 Riding Terrace very close to the application land. He had used the application land whilst walking his dogs which could be up to 2 or 3 times a day. He had attended the annual BBQs. His two children had used the application land when growing up for outside play. Children perhaps used the application land 2 or 3 times per week.
23. I was entirely satisfied that the oral evidence from these witnesses reflected the broad tenor of the supporting letters and documentation provided with the application. The supporting documentation spoke to similar user (see, for example, letter of Mr & Mrs Newton [A43]) and also evidenced the desire of local residents for the application land to be kept as amenity land- of course, that is not a material consideration as to whether the statutory test is met.
24. The Inquiry had been publicised but no members of the public sought to join the Inquiry to give evidence which is not unusual in this type of case.

Relevant Law

25. So far as is relevant section 15(2) provides that land is to be registered as a town or village green where:-

*“(a) a significant number of the inhabitants of any locality, or of any neighbourhood within a locality, have indulged as of right in lawful sports and pastimes on the land for a period of at least years; and
(b) they continue to do so at the time of the application.”*

26. The determination requires the straightforward application of law to the facts.
27. The burden of proving that the application land has become a town or village green lies with the applicant. The standard of proof is the balance of probabilities. All the elements required to establish that land has become a town or village green must be properly and strictly proved by an applicant on the balance of probabilities, per the guidance given by Lord Bingham in R v. Sunderland City Council ex parte Beresford [2004] 1 AC 889:-

"As Pill LJ. Right pointed out in R. v Suffolk County Council ex parte Steed (1996) 75 P&CR 102, 111, "it is no trivial matter for a landowner to have land, whether in public or private ownership, registered as a town green..."

"It is accordingly necessary that all ingredients of this definition should be met before land is registered, and decision-makers must consider carefully whether the land in question has been used by the inhabitants of a locality for indulgence in what are properly to be regarded as lawful sports and pastimes and whether the temporal limit of 20 years' indulgence or more is met."

28. The constituent elements of the statutory criteria are not defined in the Act but have been the subject of extensive judicial consideration in the authorities.

Lawful Sports and Pastimes

29. This is a composite expression and it is sufficient for use to be either for a lawful sport or lawful pastime: per R. v Oxfordshire County Council ex parte Sunningwell Parish Council [2000] 1 AC 335 at 356G onwards.
30. If user for walking is referable to formal or informal paths or straying from such paths, the decisive factor is how matters would have appeared to the reasonable landowner: R. (Laing Homes Limited) v Buckinghamshire County Council [2003] EWHC 1578. The reasonable landowner is entitled to consider that user of the kind referable to the exercise of a public right of way may extend beyond the limits of the right of way but still be referable to right of user, support for which can be drawn from Oxford County Council v Oxford City Council [2004] Ch 253 at 258.

Significant Number

31. A "significant number" means that the number of people using the land in question is sufficient to indicate that their use of the land signifies that it is in general use by the local community for informal recreation rather than occasional use by individuals as trespassers: R (McAlpine) v Staffordshire County Council [2002] EWHC 76 (Admin) at paragraph 71. In Leeds Group v Leeds City Council [2011] EWCA Civ 1447 it was expressed in terms that there must be use of such an amount and in such a manner as would reasonably be regarded as the assertion of a

public right. It is for an applicant to demonstrate “*significance*” in relation to the chosen locality and only qualifying user counts for that purpose.

Of the Inhabitants of any Locality, or of any Neighbourhood within a Locality.

32. A “*locality*” is a division of the County known to the law: MoD v Wiltshire CC [1995] 4 All ER 931 at 937b onwards. A “*neighbourhood*” is a deliberately more imprecise term but an area must have a sufficient degree of cohesiveness to be recognisable as a distinct neighbourhood and not an arbitrary area delineated on a map: per Sullivan J in R v South Gloucestershire Cheltenham Builders [2004] JPL 965.

As of Right

33. Use of land “*as of right*” has been held to be use which is without force, without secrecy and without permission (user *nec vi, nec clam, nec precario*): per R (Lewis) v Redcar and Cleveland BC [2010] UKSC 11. What matters is the outward appearance of user to the reasonable landowner and not the subjective intention of the user.

Continuous User for 20 Years of the Land

34. The qualifying user for lawful sports and pastimes must be continuous throughout the relevant 20 year period (being the 20 year period immediately pre-dating the application: here, 24th March 1998 to 23rd March 2018 though nothing would turn on the adoption of a later period).
35. There need not be evidence of user of every square foot of land. The land must be clearly identified so that it is clear what area of land is subject to the rights established by registration. It was well established that there is no requirement for a piece of land to have characteristics of what might be regarded as a traditional village green: per Oxford County Council.

Application of Law to Evidence

The Application Land

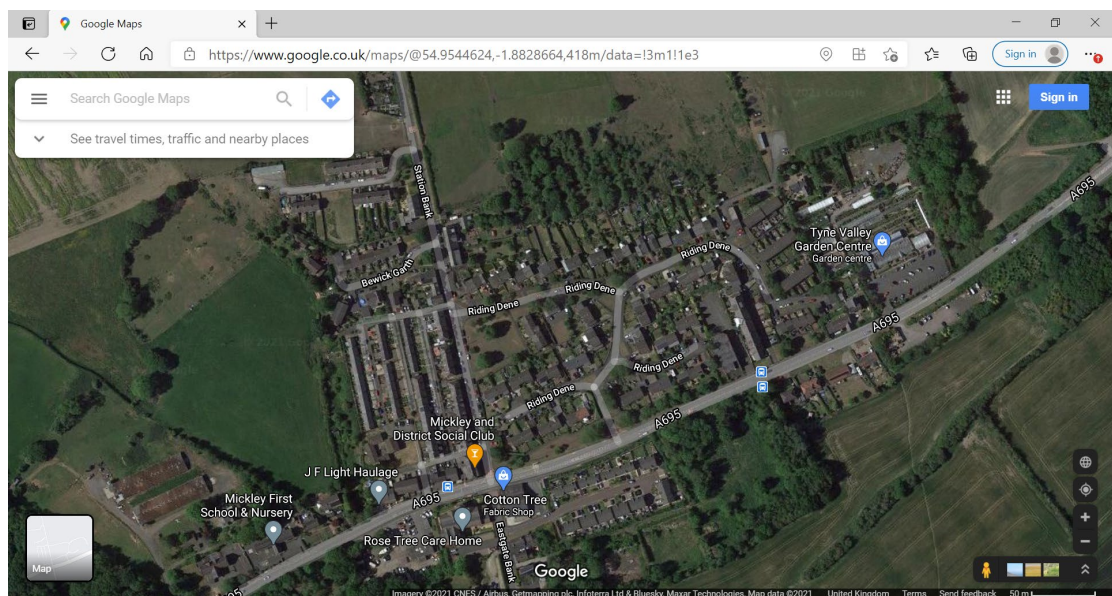
36. The relevant land sought to be registered has been clearly identified. It is that identified on the plan in support of the application [A13 & A24] but amended so as to exclude the carriageway. Its physical boundaries are obviously clear from the photographic evidence and it is clear that it is a sufficiently identifiable area for the purposes of village green registration in principle.

20 Year Period

37. The relevant period, as I have set out above, ought to be regarded as the twenty year period immediately pre-dating the application as first made, i.e. 24th March 1998 to 23rd March 2018. This is not a case where there has been any shift of user overtime and thus even if a modestly later 20 year period was used (e.g. 1999 to 2019) it would not impact upon the outcome of this application.

Locality and Neighbourhood within a Locality

38. A relevant locality has been identified, namely the Mickley Ward and I am equally satisfied that Mickley village would amount to a qualifying neighbourhood within the electoral ward as it plainly has the degree of recognisable cohesiveness necessary to satisfy the relevant threshold.
39. The boundaries of the village are identified on the plan exhibited to Mr. Hepburn's closing submissions. Again for ease of reference, I set out a satellite overview of the village which shows its spread.



40. The balance of evidence I heard was that residents would generally refer to themselves as living in Mickley, which is a village with at least several hundred residents. Whilst there was some evidence that residents living in the vicinity of Bewick Garth and the application land (such as Mr. Johnson) would regard this as a distinct area to other parts of the village such as the Riding Dene estate (which can be seen in the screenshot above), I did not form the impression of strong evidence of any discrete neighbourhood in or around Bewick Garth. This I think is borne out by the boundary of the suggested neighbourhood in the plan attached to the closing submissions by Mr. Hepburn which is arbitrary in its limits.
41. Whilst I think nothing ultimately turns on the issue for the purposes of the application, I am not satisfied that any neighbourhood within Mickley has been identified which I could be satisfied has the sufficient degree of cohesiveness. In a relatively small village, it was always going to be a difficult proposition to establish the same.

Quality of User: Significant numbers using the application land as of right for lawful sports and pastimes

42. This is a case where any user for lawful sports and pastimes has been open and without permission, and therefore likely "as of right". The evidence in support of the application was all one way in this respect

consistent with this being amenity land laid out at the same time as the development of the nearby residential housing.

43. The real question is therefore whether there is evidence of a significant number of local residents within the neighbourhood using the land for lawful sports and pastimes.
44. Unfortunately, I am not satisfied that Mr. Hepburn has been able to demonstrate sufficient quality of user.
45. The main user has been user by children for occasional playing and by dog walkers.
46. The witnesses were frank that there whilst there had been regular user by children, it had not been heavy user. This was because of two interlinked reasons, as I see it. First, it was generally only children who lived in the immediate vicinity of the application land who would play on it and therefore there was a limited pool of children/family users at any one time. Second, there were other larger spaces in the village which could be used by children in the village for recreation and thus the application land, being two small parcels of land, understandably did not present a considerable draw to wider users of the village as the scope for playing on the same was relatively limited. The two parcels of land do not give the impression that the application land would be treated as a park by the wider community.
47. The user by dog walkers appears to have been relatively regular and sustained but in relation to the application land it appears to have been no more than an area where dogs, and sometimes their owners, might stretch their legs whilst on a longer route (save, again, for those dog owners living in the immediate vicinity). The difficulty this presents is that the objective landowner may more readily have associated the user by such dog walkers as brief straying off the public highway which enclosed the two parcels of land on multiple sides, rather than the assertion of a public right to use the land as a town or village green.
48. I accept the user for an annual BBQ between 2008 and 2017 but such limited one off user in itself does not add great weight to the overall sufficiency of user especially where it encompasses only part of the 20 year period.
49. I equally accept that there will have inevitably been further lawful user such as small gatherings of local residents otherwise going about their business in the village (Mr. Johnson was very clear in his evidence on this), as well as occasional picnicking together with other occasional user which one would expect to be seen on two small parcels of amenity land in a village.

50. Mr. Hepburn recognised at the outset of the Inquiry the difficulty in establishing sufficient user by local residents of the village generally hence the focus on a smaller neighbourhood.
51. His closing submissions make the fair point that the smaller size of the neighbourhood contended for would be consistent with less frequent activities on the land but still sufficient user to warrant registration (at paragraph 3).
52. My overall findings are that there has been not sufficient user by a significant number of local inhabitants of the village of Mickley. Qualifying user has been largely confined to residents living in the immediate vicinity and in my view the evidence of wider user, beyond dog walkers straying from the highway, is relatively limited. Thus even if I had been satisfied that there was a smaller, more immediate neighbourhood as submitted by Mr. Hepburn, I would not have been satisfied that sufficient quality of user had been established. In my view, even approaching matters by reference to a smaller neighbourhood would still require a degree of user beyond that which has been established (especially as it would not be clear if, say, all dog walkers lived within the smaller neighbourhood). This is why I am satisfied that my findings as to neighbourhood are not ultimately determinative of the application. The evidence user is overall simply too trivial.
53. I recognise in reaching this decision that the application land offers an amenity value to local residents but an application for village green registration is not self-proving by reference to the same. My conclusions are not a green light to any possible future development and any later application to change the planning user of the land would be judged on its own merits.

Continuation and use of Land

54. I am satisfied that any claimed user continued up to until the date of the application and I discerned no material differential in user of the two parcels of land to warrant different findings in relation to their respective user.

Conclusions & Recommendations

55. My overall conclusion is that the application must fail because a significant number of local inhabitants have not indulged in lawful sports and pastimes during the relevant 20 year period. I recommend to the Registration Authority accordingly that the application be dismissed and the reasons for the dismissal be stated to be those set out in this report.

JAMES MARWICK
29th March 2021

Trinity Chambers
The Custom House

Quayside
Newcastle Upon Tyne
NE1 3DE

Appendix 2 – Final submissions of the Applicant

**IN THE MATTER OF AN APPLICATION TO REGISTER LAND AT
BEWICK GREEN IN MICKLEY SQUARE AS A TOWN OR VILLAGE
GREEN**

AND IN THE MATTER OF THE COMMONS ACT 2006 (AS AMENDED)

APPLICANTS CONCLUDING STATEMENT

1 The applicant believes that the evidence provided to the Inquiry shows that there are no reasons by way of trigger events or ownership that prevent the land at Bewick Garth being considered for registered as a village green.

2 The applicant attaches a plan showing the locality as the village of Mickley (sometimes known as Mickley Square) but distinct from West Mickley, Mount Pleasant or High Mickley which are the other villages or hamlets within the local authority ward of Mickley.

It further shows the neighbourhood using the land as the streets and houses immediately surrounding the land of about 24 households and notes the evidence given by witnesses that people in these households know each other, support each other and take part in activities and pastimes together.

3 The applicant believes that the evidence presented to the Inquiry shows that a significant number of people have taken part in lawful sports and pastimes on the land without let or hindrance for the period of 20 years notably the annual village barbeque attended by about 50 people a year over 10 years.

The applicant believes that the evidence should be assessed in relation to:

- (a) The number of people in the neighbourhood which means there is unlikely to be frequent activities on the land. The number of children in the neighbourhood, for example, has changed during the period under consideration.
- (b) The size of the land which restricts the range of activities that can take place and the availability of a large open area and a playing field nearby.

Taking these factors into account, the applicant believes there has been sufficient activity of different kinds to warrant registering the land as a village green.

George Hepburn OBE
9th March 2021

ATTACHMENT TO APPLICANTS CONCLUDING STATEMENT

- Area of Mickley Village
- Area of neighbourhood Surrounding proposed Green
- Area of proposed green



Drawn by Applicant
George Hepburn
9th March 2021

Appendix 3 Inquiry Bundle

IN THE MATTER OF AN APPLICATION TO REGISTER LAND AT BEWICK GREEN
IN MICKLEY SQUARE AS A TOWN OR VILLAGE GREEN

AND IN THE MATTER OF THE COMMONS ACT 2006 (AS AMENDED)

INQUIRY BUNDLE

Helen Lancaster
Principal Lawyer
Legal Services
Northumberland County Council
County Hall
Morpeth
Northumberland
NE61 2EF

A. Application

- | | | | |
|----|----------|--|------------|
| 1. | 01347810 | | A 1 - A 61 |
|----|----------|--|------------|

B. Directions

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|----|---------------------------------------------|--|-----------|
| 1. | Inspector's Directions BEWICK GREEN (final) | | B 1 - B 4 |
| 2. | Inspector's Directions BEWICK GREEN (FINAL) | | B 5 - B 6 |

C. Objections and Withdrawal of Objections

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|----|--------------------------------------------------------------------------|------------|-----------|
| 1. | 11:23 email Re Bewick Green, Mickley Square, Stocksfield, Northumberland | 08-08-2019 | C 1 - C 2 |
| 2. | 1403690 - Letter to helen Lancaster Oct 19 | | C 3 - C 5 |
| 3. | 16:55 email FW Mickley Square - application for village green | 04-02-2021 | C 6 - C 7 |

D. Correspondence

- | | | | |
|-----|--------------------------------------------------------------------------------|------------|-------------|
| 1. | 11:34 email Re Land at Bewick Garth,Mickley Square | 18-12-2017 | D 1 - D 2 |
| 2. | 11:57 email Re Land at Bewick Garth,Mickley Square | 18-12-2017 | D 3 - D 5 |
| 3. | 19:40 email Re Land at Bewick Garth,Mickley Square | 18-12-2017 | D 6 - D 10 |
| 4. | 07:42 email Registration of Mickley village green | 23-03-2018 | D 11 |
| 5. | 11:28 email Re Application to register village green | 30-04-2018 | D 12 - D 14 |
| 6. | 10:33 email Re FW Application to register village green | 01-05-2018 | D 15 - D 19 |
| 7. | 14:09 email Re FW Application to register village green | 12-06-2018 | D 20 - D 26 |
| 8. | 22:02 email Re FW Application to register village green | 02-07-2018 | D 27 - D 33 |
| 9. | 09:16 email Re FW Application to register village green | 03-07-2018 | D 34 - D 42 |
| 10. | 21:50 email Re FW FW Application to register village green | 10-09-2018 | D 43 - D 51 |
| 11. | 07:56 email Re FW FW Application to register village green | 24-10-2018 | D 52 - D 62 |
| 12. | Letter to applicant returning application due to no 'locality' being specified | 18-11-2018 | D 63 |
| 13. | 21:43 email Re Application to register village green at Mickley Square | 08-04-2019 | D 64 - D 65 |
| 14. | Letter confirming regulations | 10-04-2019 | D 66 - D 67 |
| 15. | 16:41 email Bewick Green | 12-04-2019 | D 68 |
| 16. | Letter confirming application acceptance | 16-05-2019 | D 69 |
| 17. | 17:34 email Mickley Village Green | 13-07-2019 | D 70 |
| 18. | 11:23 email Re Bewick Green, Mickley Square, Stocksfield, Northumberland | 08-08-2019 | D 71 - D 72 |

19.	09:34 email Re Bewick Green, Mickley Square, Stocksfield, Northumberland	11-09-2019	D 73 - D 74
20.	21:03 email Registration of Green at Mickley Square	27-10-2019	D 75
21.	Letter to helen Lancaster Oct 19 - attachment		D 76 - D 78
22.	12:50 email Re Registration of Green at Mickley Square	28-10-2019	D 79 - D 81
23.	16:53 email Re FW Registration of Green at Mickley Square	18-12-2019	D 82 - D 87
24.	12:34 email Re FW Registration of Green at Mickley Square	21-04-2020	D 88 - D 92
25.	11:51 email Re FW Registration of Green at Mickley Square	22-05-2020	D 93 - D 102
26.	15:01 email Re FW Registration of Green at Mickley Square	26-05-2020	D 103 - D 109
27.	08:54 email Re FW FW Registration of Green at Mickley Square	17-09-2020	D 110 - D 118
28.	09:33 email Re FW FW Registration of Green at Mickley Square	20-10-2020	D 119 - D 127
29.	09:54 email Re FW FW Registration of Green at Mickley Square	20-10-2020	D 128 - D 141
30.	10:05 email Re FW FW Registration of Green at Mickley Square	20-10-2020	D 142 - D 157
31.	18:37 email Re FW FW Registration of Green at Mickley Square	09-11-2020	D 158 - D 173
32.	18:56 email FW Application for village green - land at Mickley Square, Stocksfield, Northumberland	10-11-2020	D 174
33.	Inspector's Directions BEWICK GREEN (final) - attachment		D 175 - D 178
34.	10:57 email Re FW Application for village green - land at Mickley Square, Stocksfield, Northumberland	11-11-2020	D 179 - D 180
35.	09:23 email Re FW Application for village green -land at Mickley Square, Stocksfield, Northumberland	16-11-2020	D 181 - D 182
36.	10:56 email RE FW Application for village green - land at Mickley Square, Stocksfield, Northumberland	16-11-2020	D 183 - D 185
37.	14:18 email RE Application for village green - land at Mickley Square, Stocksfield, Northumberland	16-11-2020	D 186 - D 187
38.	14:19 email Re FW Application for village green - land at Mickley Square, Stocksfield, Northumberland	16-11-2020	D 188 - D 193
39.	15:19 email RE Application for village green - land at Mickley Square, Stocksfield, Northumberland	16-11-2020	D 194 - D 195
40.	15:19 email RE Application for village green - land at Mickley Square, Stocksfield, Northumberland	16-11-2020	D 196 - D 197
41.	14:25 email FW Application for village green - land at Mickley Square, Stocksfield, Northumberland	23-11-2020	D 198
42.	Email attachment 1 - FW Application for village green - land at Mickley Square, Stocksfield, Northumberland (2)		D 199 - D 259
43.	Email attachment 2 - FW Application for village green - land at Mickley Square, Stocksfield, Northumberland		D 260 - D 261

44.	Email attachment 3 - 1403690 - Letter to helen Lancaster Oct 19		D 262 - D 264
45.	Email attachment 4 - Inspector's Directions BEWICK GREEN (final)		D 265 - D 268
46.	Email attachment 5 - FW Application for village green - land at Mickley Square, Stocksfield, Northumberland		D 269 - D 270
47.	14:01 email Re FW Application for village green - land at Mickley Square, Stocksfield, Northumberland	25-11-2020	D 271 - D 276
48.	16:49 email RE Application for village green - land at Mickley Square, Stocksfield, Northumberland	30-11-2020	D 277 - D 279
49.	11:45 email Application documents	08-12-2020	D 280
50.	16:48 email RE Application for village green - land at Mickley Square, Stocksfield, Northumberland	14-01-2021	D 281 - D 283
51.	21:15 email Re: Application for village green - land at Mickley Square, Stocksfield, Northumberland	14-01-2021	D 284 - D 286
52.	07:41 email Mickley Square - application for village green	19-01-2021	D 287
53.	12:11 email Re Mickley Square - application for village green	23-01-2021	D 288 - D 289
54.	11:22 email RE Mickley Square - application for village green	25-01-2021	D 290 - D 292
55.	Inspector's Directions BEWICK GREEN (FINAL) - attachment		D 293 - D 294
56.	18:57 email Re Mickley Square - application for village green	25-01-2021	D 295 - D 297
57.	19:43 email Re FW Mickley Square - application for village green	01-02-2021	D 298 - D 302
58.	16:55 email FW: Mickley Square - application for village green	04-02-2021	D 303 - D 304
59.	11:37 email RE Bewick Green	17-02-2021	D 305

A. Application

Application to Northumberland County Council

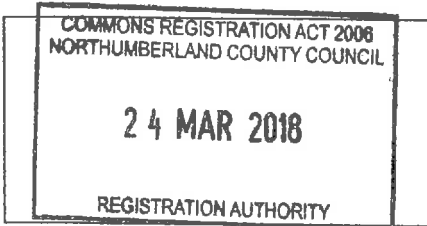
**for registration of land
at Mickley Square
as a village green
under the Commons Act: section 15**

Folder 1 of 2

Commons Act 2006: Section 15

Application for the registration of land as a Town or Village Green

Official stamp of registration authority
indicating valid date of receipt:



Application number:

VA 84

Register unit No(s):

VG number allocated at registration:

(CRA to complete only if application is successful)

Applicants are advised to read the 'Guidance Notes for the completion of an Application for the Registration of land as a Town or Village Green' and to note the following:

- All applicants should complete questions 1–6 and 10–11.
- Applicants applying for registration under section 15(1) of the 2006 Act should, in addition, complete questions 7–8. Section 15(1) enables any person to apply to register land as a green where the criteria for registration in section 15(2), (3) or (4) apply.
- Applicants applying for voluntary registration under section 15(8) should, in addition, complete question 9.

1. Registration Authority

To the

Northumberland County Council,
County Hall, A197,
Morpeth NE61 2EF

Note 1
Insert name of
registration
authority.

Note 2

If there is more than one applicant, list all names. Please use a separate sheet if necessary. State the full title of the organisation if a body corporate or unincorporate.

If question 3 is not completed all correspondence and notices will be sent to the first named applicant.

2. Name and address of the applicant

Name:

Full postal address:

Telephone number:
(incl. national dialling code)

Fax number:
(incl. national dialling code)

E-mail address:

3. Name and address of solicitor, if any

Name:

Firm:

Full postal address:

Post code

Telephone number:
(incl. national dialling code)

Fax number:
(incl. national dialling code)

E-mail address:

Note 3

This question should be completed if a solicitor is instructed for the purposes of the application. If so all correspondence and notices will be sent to the person or firm named here.

Note 4

For further advice on the criteria and qualifying dates for registration please see section 4 of the Guidance Notes.

* Section 15(6) enables any period of statutory closure where access to the land is denied to be disregarded in determining the 20 year period.

4. Basis of application for registration and qualifying criteria

If you are the landowner and are seeking voluntarily to register your land please tick this box and move to question 5.

Application made under **section 15(8)**:

If the application is made under **section 15(1)** of the Act, please **tick one** of the following boxes to indicate which particular subsection and qualifying criterion applies to the case.

Section 15(2) applies:

Section 15(3) applies:

Section 15(4) applies:

If **section 15(3) or (4)** applies please indicate the date on which you consider that use as of right ended.

If **section 15(6)*** applies please indicate the period of statutory closure (if any) which needs to be disregarded.

5. Description and particulars of the area of land in respect of which application for registration is made

Note 5

The accompanying map must be at a scale of at least 1:2,500 and show the land by distinctive colouring to enable it to be clearly identified.

Name by which usually known:

Bewick Green

Location:

Area of open green at Mickley Square to the west of Eltringham Cottages at the junction with Bewick Garth which runs through the middle of Bewick Green
Photos attached as Exhibit D

* Only complete if the land is already registered as common land.

Shown in colour on the map which is marked and attached to the statutory declaration. Exhibit A

Common land register unit number (if relevant) *

Note 6

It may be possible to indicate the locality of the green by reference to an administrative area, such as a parish or electoral ward, or other area sufficiently defined by name (such as a village or street). If this is not possible a map should be provided on which a locality or neighbourhood is marked clearly.

6. Locality or neighbourhood within a locality in respect of which the application is made

Please show the locality or neighbourhood within the locality to which the claimed green relates, either by writing the administrative area or geographical area by name below, or by attaching a map on which the area is clearly marked:

Mickley Ward of Prudhoe Town Council as shown on map attached – Exhibit B

Tick here if map attached:

7. Justification for application to register the land as a town or village green

Note 7

Enjoyment by a significant number of inhabitants of Mickley Square as of right in lawful sports and pastimes for a period of at least 20 years under section 15(3) of the Commons Act 2006, as witnessed by the 24 enclosed signed statements showing use for activities including playing games, football, picnics, snowball fights, dog walking, camping and participation in community events notably the annual BBQ.

The BBQ has been held annually since 2010 at the initiative of local residents, one of whom provides a large bbq. It is regularly attended by about 50 people from Mickley Square who bring picnic tables and chairs and their own food to bbq. The event starts late afternoon to enable young children to take part and ends about 9pm depending on the weather.

The Green is mainly used by people in the immediate area of 23 households. On these households

- 13 current households have provided letters of support
- 3 household have given verbal support but not provided letters
- 5 households have said the green is best left unregistered as it has never been an issue in the village
- 2 households have not responded at all

In addition, there are three letters of support from local people living living further away in Mickley Ward and three letters of support from former residents who have moved away.

This information is not needed if a landowner is applying to register the land as a green under section 15(8).

Note 8

Please use a separate sheet if necessary.

Where relevant include reference to title numbers in the register of title held by the Land Registry.

If no one has been identified in this section you should write "none"

This information is not needed if a landowner is applying to register the land as a green under section 15(8).

Note 9

List all such declarations that accompany the application. If none is required, write "none".

This information is not needed if an application is being made to register the land as a green under section 15(1).

Note 10

List all supporting documents and maps accompanying the application. If none, write "none"

Please use a separate sheet if necessary.

8. Name and address of every person whom the applicant believes to be an owner, lessee, tenant or occupier of any part of the land claimed to be a town or village green

None

Result of a search of H M land Registry records showing that the land is not registered is attached as Exhibit C

9. Voluntary registration – declarations of consent from ‘relevant leaseholder’, and of the proprietor of any ‘relevant charge’ over the land

None

10. Supporting documentation

Exhibit A : Map showing location of Bewick Green

Exhibit B : Map showing Mickley Ward

Exhibit C : Result of Land registry search

Exhibit D : Photos of Bewick Green

Exhibit E : Letters of support (listed separately and contained in Folder 2)

Note 11

If there are any other matters which should be brought to the attention of the registration authority (in particular if a person interested in the land is expected to challenge the application for registration). Full details should be given here or on a separate sheet if necessary.

Note 12

The application must be signed by each individual applicant, or by the authorised officer of an applicant which is a body corporate or unincorporate.

11. Any other information relating to the application

Date:

26 March 2018

Signatures:

REMINDER TO APPLICANT

You are advised to keep a copy of the application and all associated documentation. Applicants should be aware that signature of the statutory declaration is a sworn statement of truth in presenting the application and accompanying evidence. The making of a false statement for the purposes of this application may render the maker liable to prosecution.

Data Protection Act 1998

The application and any representations made cannot be treated as confidential. To determine the application it will be necessary for the registration authority to disclose information received from you to others, which may include other local authorities, Government Departments, public bodies, other organisations and members of the public.

Statutory Declaration In Support

To be made by the applicant, or by one of the applicants, or by his or their solicitor, or, if the applicant is a body corporate or unincorporate, by its solicitor, or by the person who signed the application.

Choklat
CHARLES
HOBURN

¹ Insert full name (and address if not given in the application form).

I,.....~~CHOKLAT CHARLES HOBURN~~....., solemnly and sincerely declare as follows:—

² Delete and adapt as necessary.

1.² I am the person who has signed the foregoing application.

³ Insert name if Applicable

2. The facts set out in the application form are to the best of my knowledge and belief fully and truly stated and I am not aware of any other fact which should be brought to the attention of the registration authority as likely to affect its decision on this application, nor of any document relating to the matter other than those (if any) mentioned in parts 10 and 11 of the application.

3. The map now produced as part of this declaration is the map referred to in part 5 of the application.

⁴ Complete only in the case of voluntary registration (strike through if this is not relevant)

4.⁴ ~~I hereby apply under section 15(8) of the Commons Act 2006 to register as a green the land indicated on the map and that is in my ownership. I have provided the following necessary declarations of consent:~~

- ~~(i) a declaration of ownership of the land;~~
- ~~(ii) a declaration that all necessary consents from the relevant leaseholder or proprietor of any relevant charge over the land have~~

Cont/

Formatted: Indent: Left: 0.81
Right: 1.04 cm, Space Before:

Formatted: No bullets or num

Formatted: Indent: Left: 0.81
No bullets or numbering

⁴ Continued

~~been received and are exhibited with this declaration; or
(iii) where no such consents are required, a declaration to that effect.~~

Formatted: Space Before: 1.25

And I make this solemn declaration, conscientiously believing the same to be true, and by virtue of the Statutory Declarations Act 1835.

Declared by the said

GEORGE CHARLES

at

HEPBURN

Signature of Declarant

this

26

day of

March 2018

Before me *

Signature:

Address:

Cameron Carls
Solicitor
Caris Robson LLP
7 Front Street, Prudhoe
Northumberland, NE42 5HJ
Tel: 01661 836851
Email: cameron@carisrobson.com

Qualification:

* The statutory declaration must be made before a justice of the peace, practising solicitor, commissioner for oaths or notary public.

Signature of the statutory declaration is a sworn statement of truth in presenting the application and accompanying evidence.

REMINDER TO OFFICER TAKING DECLARATION:

Please initial all alterations and mark any map as an exhibit

Statutory Declaration In Support

To be made by the applicant, or by one of the applicants, or by his or their solicitor, or, if the applicant is a body corporate or unincorporate, by its solicitor, or by the person who signed the application.

¹ *Insert full name (and address if not given in the application form).*

I, George Charles Hepburn of bewickHouse, Bewick Garth, Mickley Square, Northumberland NE43 7AU solemnly and sincerely declare as follows:—

² *Delete and adapt as necessary.*

1.² I am the person who has signed the foregoing application.

³ *Insert name if Applicable*

2. The facts set out in the application form are to the best of my knowledge and belief fully and truly stated and I am not aware of any other fact which should be brought to the attention of the registration authority as likely to affect its decision on this application, nor of any document relating to the matter other than those (if any) mentioned in parts 10 and 11 of the application.

3. The map now produced as part of this declaration is the map referred to in part 5 of the application.

⁴ *Complete only in the case of voluntary registration (strike through if this is not relevant)*

Cont/

And I make this solemn declaration, conscientiously believing the same to be true, and by virtue of the Statutory Declarations Act 1835.

Declared by the said *George Charles Hepburn*
at *Prudhoe, Northumberland*
this *23rd* day of *APRIL 2019*

Signature of Declarant

Before me *

Signature:

Address:

Cameron Caris
Solicitor
Caris Robson LLP
7 Front Street, Prudhoe
Northumberland, NE42 5HJ
Tel: 01661 836851
Email: cameron@carisrobson.com

Qualification:

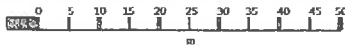
* The statutory declaration must be made before a justice of the peace, practising solicitor, commissioner for oaths or notary public.

Signature of the statutory declaration is a sworn statement of truth in presenting the application and accompanying evidence.

REMINDER TO OFFICER TAKING DECLARATION:

Please initial all alterations and mark any map as an exhibit

EXHIBIT A : BEWICK GREEN MARKED IN RED.



OS MasterMap 1250/2500/10000 scale
 Wednesday, February 28, 2018, ID: BLJT-00694017
www.planningapplicationmaps.co.uk

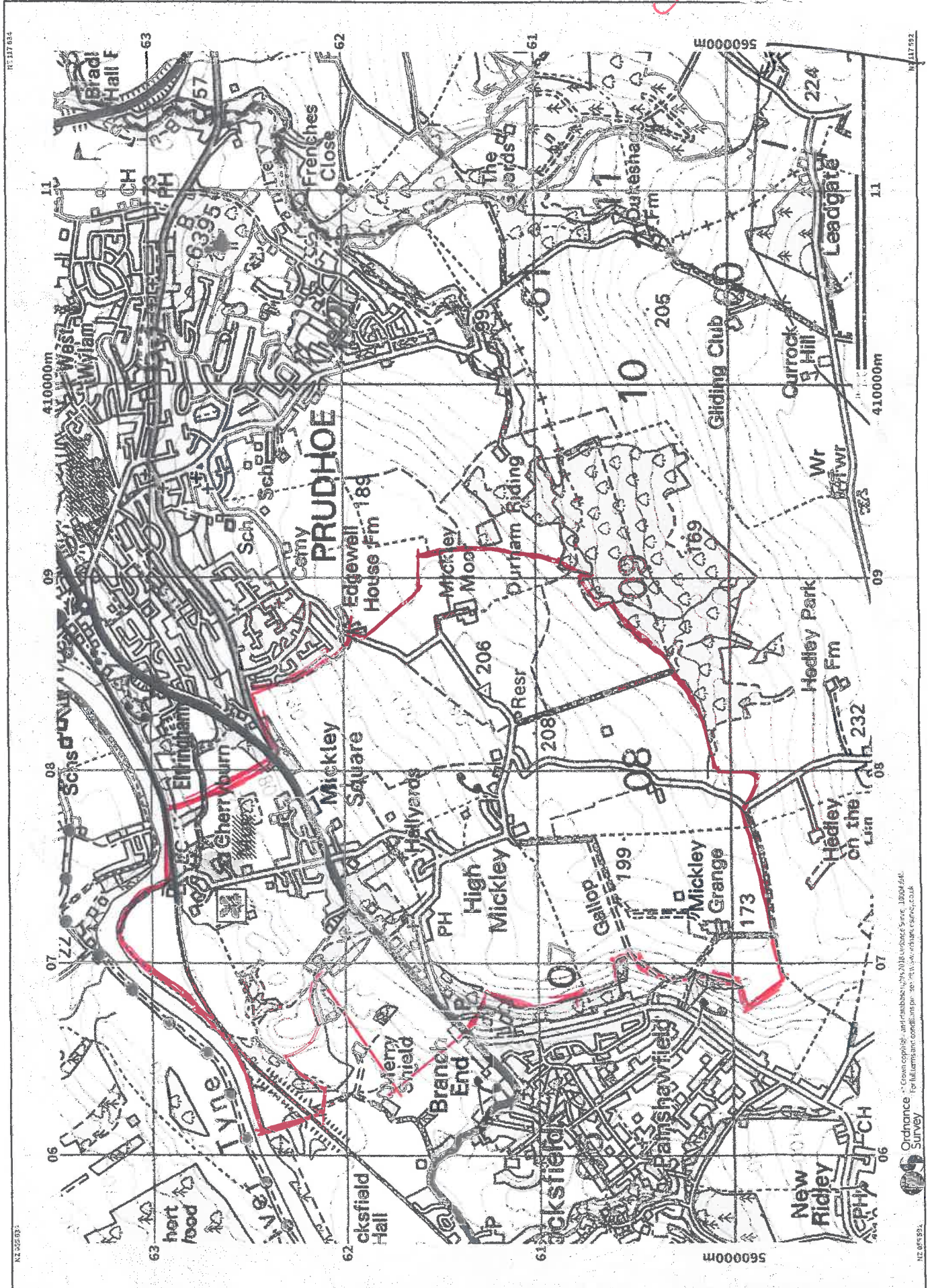
1:1250 scale print at A4, Centre: 407484 E, 562252 N

©Crown Copyright Ordnance Survey. Licence no. 100051661



EXHIBIT B - MICKLEY WARD

— ward boundary



Certificate Date: 4 JAN 2018
Certificate Time: 00.00.01
Certificate Ref: 191/D17EDMB

EXHIBIT C

Property	Land edged blue on the plan attached to the application and described in form SIM as LAND AT, BEWICK GARTH, MICKLEY, STOCKSFIELD, NORTHUMBERLAND, NE43 7AU.
----------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------

The index map does not define the extent of the land in any registered title. This reflects the fact that the boundary of a registered estate as shown for the purposes of the register is a general boundary, unless shown as determined under section 60 of the Land Registration Act 2002. You might also wish to refer to the individual register and title plan of any adjoining titles for details of the surrounding registered estates and their general boundaries and/or determined boundaries.

Result

The index map has been searched in respect of the Property with the following result:

No registered estate, caution against first registration or application for first registration or application for a caution against first registration is shown on the index map in relation to the Property. We therefore hold no records in respect of the Property.

The plan lodged with your application for a search of the index map has been accepted for this application. Any statement of disclaimer has been disregarded as it is assumed that it was not intended to apply for the purposes of the application.

Please note that the acceptance of the plan for this particular application does not necessarily mean that the same plan would be accepted if subsequently used for another application. All plans lodged with a Land Registry application should comply with the guidelines in Land Registry's Practice Guide 40, Supplement 2. Lodging a plan which does not comply with the guidelines may result in

Continued on page 2

Your Reference: HEPBURN	Key Number: -----	Any enquiries concerning this certificate to be addressed to: TF RO CO
George Hepburn Bewick House Bewick Garth Mickley Square NE43 7AU		Durham Office PO Box 75 Gloucester GL14 9BD
		Tel. No: (0300) 006 0010

Certificate Date:	4 JAN 2018
Certificate Time:	00.00.01
Certificate Ref:	191/D17EDMB

requisitions being raised, (such as a request to delete a statement of disclaimer) or the application being cancelled.

For further information about:

SIMS - see Practice Guide 10 - Official searches of the index map

How to obtain official copies - see Practice Guide 11 - Inspection and applications for official copies

Plan requirements for registration - see Practice Guide 40 - Land Registry plans - (www.gov.uk/land-registry).

Ordnance Survey map products - (www.ordnancesurvey.co.uk).

END OF RESULT.

KE

George Hepburn
Bewick House
Bewick Garth
Mickley Square
NE43 7AU

| |

HM Land Registry

Application for an official search of the index map

SIM

EXHIBIT C

Any parts of the form that are not typed should be completed in black ink and in block capitals.

If you need more room than is provided for in a panel, and your software allows, you can expand any panel in the form. Alternatively use continuation sheet CS and attach it to this form.

HM Land Registry is unable to give legal advice, but you can find guidance on HM Land Registry applications (including our practice guides for conveyancers) at www.gov.uk/land-registry.

HM LAND REGISTRY USE ONLY
Record of fees paid

Particulars of under/over payments

Reference number
Fees debited £

Where there is more than one local authority serving an area, enter the one to which council tax or business rates are normally paid.

If no postal address insert description, for example 'land adjoining 2 Acacia Avenue'.

To find out more about our fees visit www.gov.uk/government/collections/fees-land-registry-guides

Place 'X' in the appropriate box.

The fee will be charged to the account specified in panel 4.

1	Local authority serving the property: Northumberland				
2	Property to be searched Flat/unit number: Postal number or description: see continuation sheet Name of road: Bewick Garth Name of locality: Mickley Square Town: Stocksfield Postcode: NE43 7AU Ordnance Survey map reference (if known): NZ07484 62278 Known title number: not known				
3	Application and fee <table border="1"><thead><tr><th>Application</th><th>Fee paid (£)</th></tr></thead><tbody><tr><td>Search of the index map</td><td>£7</td></tr></tbody></table> <p>Fee payment method</p> <p><input checked="" type="checkbox"/> cheque made payable to 'Land Registry'</p> <p><input type="checkbox"/> direct debit, under an agreement with Land Registry</p>	Application	Fee paid (£)	Search of the index map	£7
Application	Fee paid (£)				
Search of the index map	£7				

This panel must always be completed.

If you are paying by direct debit, this will be the account charged.

Please note that until further notice all copies ordered using this form will be despatched in paper form. When email despatch becomes available, a direction will appear on GOV.UK and details will be given in practice guide 10: inspection and application for official copy. Until there is a direction, you do not need to complete this panel to obtain an official copy in paper format.

Place 'X' in the box if applicable.

Any attached plan must contain sufficient details of the surrounding roads and other features to enable the land to be identified satisfactorily on the Ordnance Survey map. A plan may be unnecessary if the land can be identified by postal description.

4	This application is sent to Land Registry by <div style="border: 1px solid black; padding: 2px; margin: 5px 0;">Key number (if applicable):</div> Name: George Hepburn Address or UK DX box number: Bewick House, Bewick Garth, Mickley Square, NE43 7AU Email address: Reference:
	Phone no: _____ Fax no: _____
5	Issue of certificate of result of search in paper format where an email address has been supplied If you have supplied an email address in panel 4, then, unless you complete the box below, any certificate of result of search of the index map will be issued electronically to that address, if there is a direction under section 100(4) of the Land Registration Act 2002 by the registrar covering such issuing. <input type="checkbox"/> I have supplied an email address but require the certificate of result of search to be issued in paper format instead of being issued electronically
6	I apply for an official search of the index map in respect of the land referred to in panel 2 shown marked in blue _____ on the attached plan
7	Signature of applicant: _____ Date: 21st December 2017

WARNING

If you dishonestly enter information or make a statement that you know is, or might be, untrue or misleading, and intend by doing so to make a gain for yourself or another person, or to cause loss or the risk of loss to another person, you may commit the offence of fraud under section 1 of the Fraud Act 2006, the maximum penalty for which is 10 years' imprisonment or an unlimited fine, or both.

Failure to complete this form with proper care may result in a loss of protection under the Land Registration Act 2002 if, as a result, a mistake is made in the register.

Under section 86 of the Land Registration Act 2002 most documents (including this form) kept by the registrar relating to an application to the registrar or referred to in the register are open to public inspection and copying. If you believe a document contains prejudicial information, you may apply for that part of the document to be made exempt using Form EX1, under rule 136 of the Land Registration Rules 2003.

© Crown copyright (ref: LR/HO) 04/17

PHOTOS OF BEWICK GREEN

EXHIBIT D



Views of Bewick Green from the south looking north towards Bewick House showing Bewick Garth crossing Bewick Green

EXHIBIT D



Views of Bewick Green looking north towards Dene House

Application to Northumberland County Council

**for registration of land
at Mickley Square
as a village green
under the Commons Act: section 15**

Folder 2 of 2

Application to register Bewick Green

Exhibit E

Letters of support

No	Name	Address	Date	Comment
E1	Leslie and Jean Ashworth	23 Riding Terrace, Mickley NE43 7BU	17/03/18	In nhood
E2	Melvyn Charlton	(formerly of) 19 Riding Terrace, Mickley, NE43 7AU	9/03/18	Ex nhood
E3	Jacqueline Dowson	Dene House, Station Bank, Mickley NE43 7AU	17/03/18	In nhood
E4	Andy and Sue Green	1 Eltringham Cottages, Mickley NE43 7BX	18/03/18	In nhood
E5	Edward Fenwick	21 Riding Terrace, Mickley, NE43 7BU	9/03/18	In nhood
E6	George Hepburn	Bewick House, Bewick Garth, Mickley, NE43 7AU	24/03/18	In nhood
E7	Jan McGregor Hepburn	Post Office Cottage, Station Bank, Mickley NE43 7BX	24/03/18	In nhood
E8	Chris and Helen Johnson	Heathcote, Mickley, NE43 7BS	8/03/18	Ex nhood
E9	Cheryl Johnson	Rivendell, Bewick Garth, NE43 7AU	17/03/18	In nhood
E10	Adrian Lamb	8 Bewick Garth, Mickley, NE43 7AU	19/03/18	In nhood
E11	Paul and Bettina Newton	Phoenix House, Bewick Garth, Mickley, NE43 7AU	16/03/18	In nhood
E12	Rev Mark Sharman	4 Eltringham Cottages, Mickley, NE43 7BX	4/03/18	In nhood
E13	Keith Shaw and Diane Westwood	20 Riding Terrace, Mickley, NE43 7BU	17/03/18	In nhood
E14	Hilary Skoyles	58 Riding Dene, Mickley, NE43 7DQ	5/03/18	In nhood
E15	Stephen Smith	2 Sandysykes, Prudhoe NE42 6LW	19/03/18	Ex nhood
E16	Graham Storey	3 Eltringham Cottages, Mickley NE43 7BX	24/03/18	In nhood
E17	Rob Warr	5 Riding Terrace, Mickley NE43 7BU	19/03/18	Nr nhood
E18	Paul and Jane Tailford	13 Riding Terrace, Mickley NE43 7BU	25/03/18	Nr nhood
E19	Andrea Charlton	5 North View, Mickley, NE43 7DA	25/03/18	Nr nhood

Totals: currently living in neighbourhood = 13 (out of 23)

Previously lived in neighbourhood = 3

Currently living near neighbourhood = 3

f 1

23 Riding Terrace
Mickley
Stocksfield
Northumberland
NE43 7BU

17th March 2018

To whom it may concern,

We write in support of the claim to register The Green (designated in red on the attached plan) at Mickley Square as an official village green at Northumberland County Council.

We have lived in Mickley Square at our address adjacent to The Green for many years.

During the whole of this period The Green has been completely open to the public and used as a recreational area by local children, by residents of South View as a means of access to their homes, and for many years as an area where summer barbeques which we have attended are held. The Green is also used responsibly by dog owners including ourselves on a daily basis. It has never been fenced and no notices have been displayed seeking to curtail access by local residents.

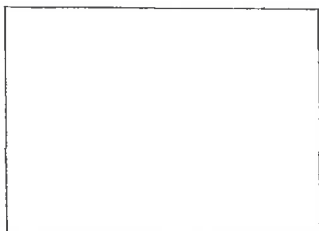
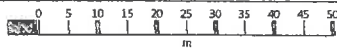
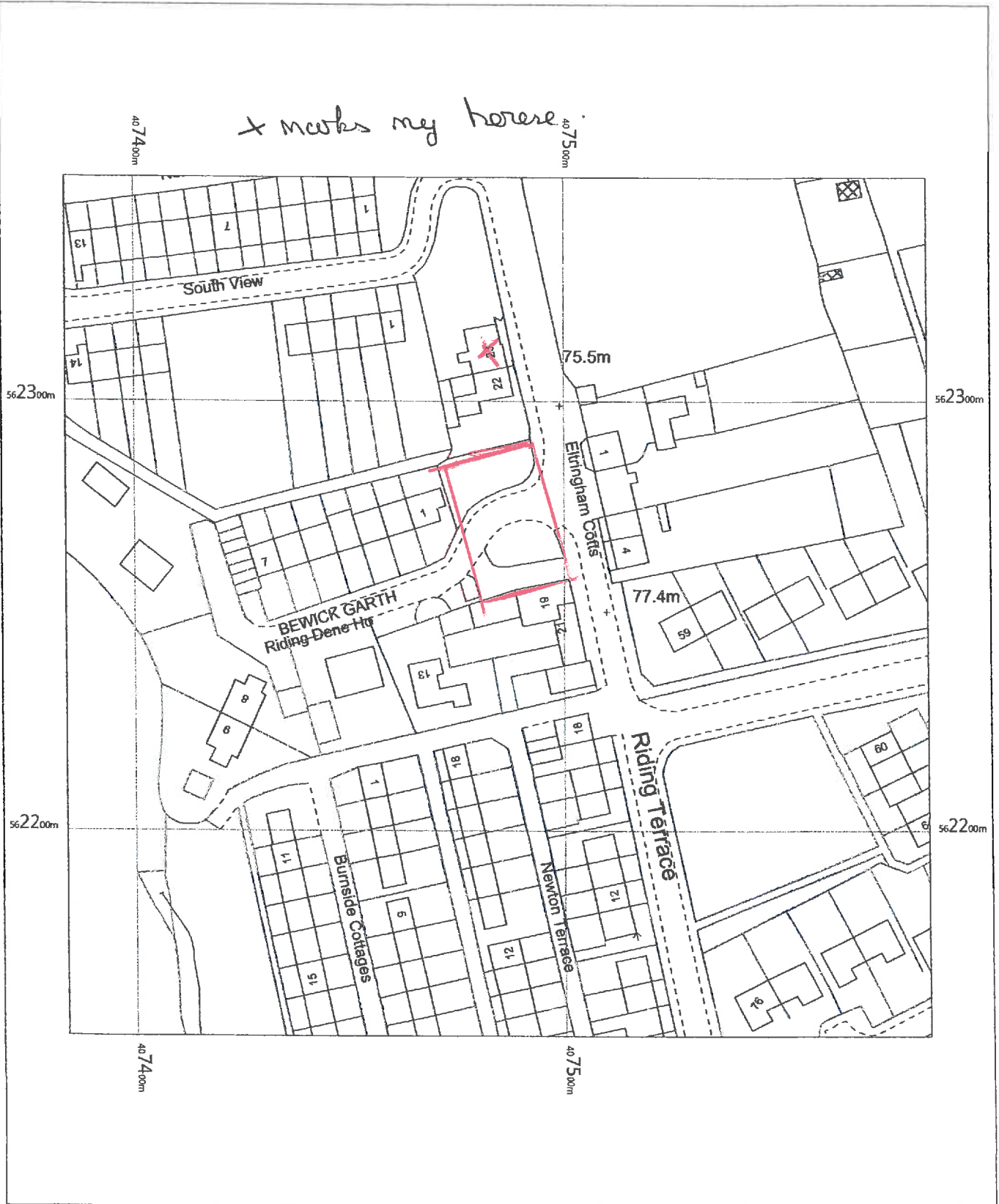
The Green is also important in providing an attractive setting for some of the oldest houses in Mickley Square which are grouped round The Green. Loss of this open space would certainly have an adverse impact on this setting, which leads down to the significant tourist destination of the birthplace of Thomas Bewick, the noted 19th century engraver and natural history author.

The Green therefore has considerable recreational and social value as well as being an attractive area of open green space within the village. By registering The Green as an official village green the hope is that this open space will be preserved for the amenity of all residents for years to come.

We fully support the application to register The Green as an official village green and write this letter in the knowledge that it will be used in evidence as part of the application for village green status.

Yours sincerely,

x marks my house.



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19 Riding Terrace,
Mickley,
Stocksfield.
Northumberland NE43 7BU

9th March 2018

Evidence in support of claim to register

The Green at Mickley Square

I have lived at the above mentioned address which is in the neighbourhood of The Green at Mickley Square, marked in red on the attached plan between 1956-1996.

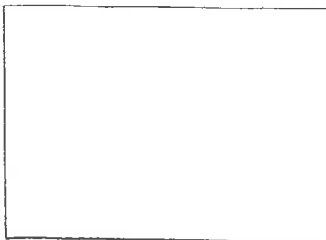
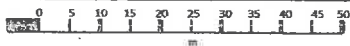
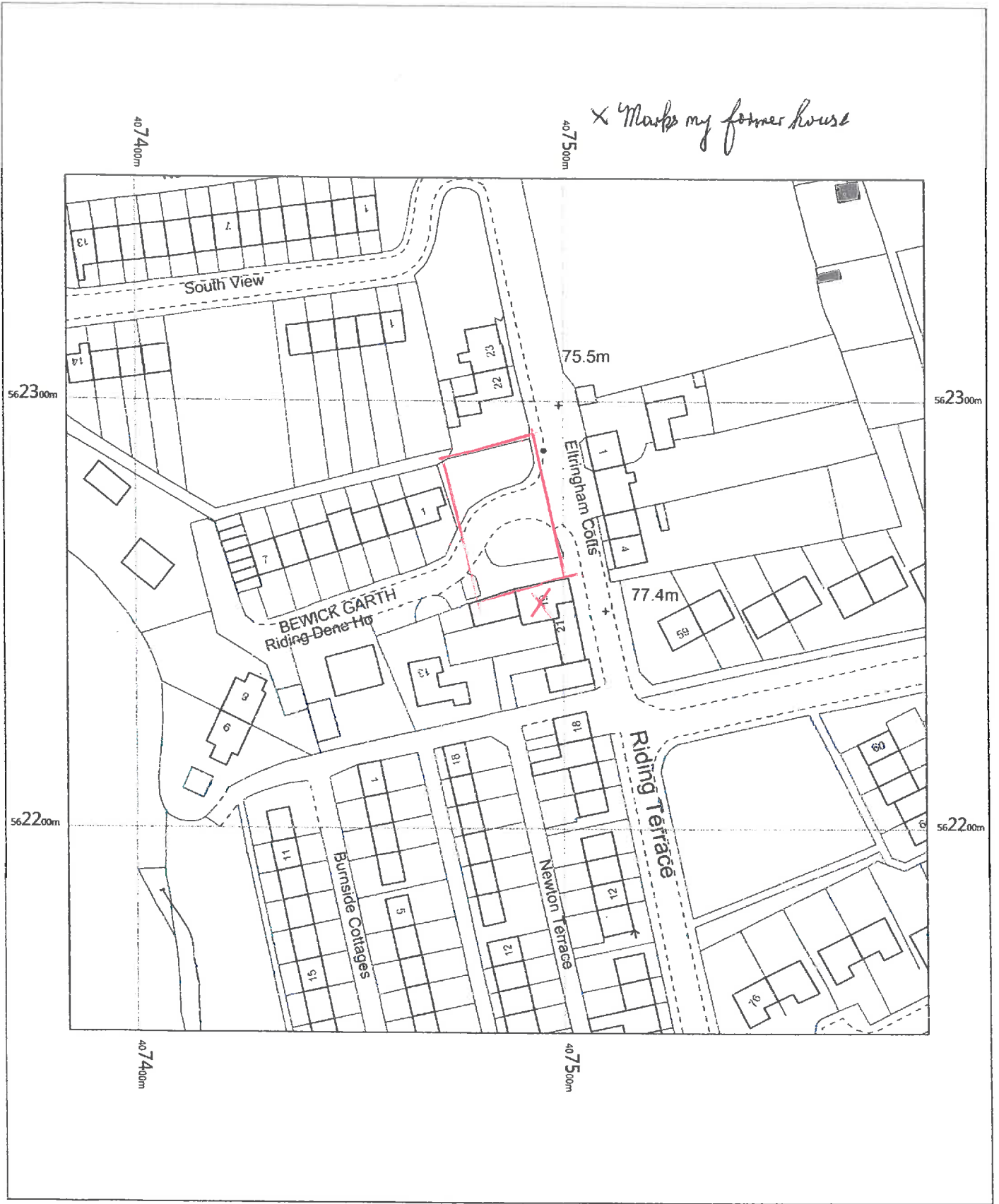
During the 40 years I lived there I would walk over the green, exercise my dog, play games, chat with people and was never stopped or questioned what I was doing. I have learned from friends at Mickley that these activities still happen and there is now an annual barbecue on The Green.

I firmly believe that these activities should be treated by Law as having a Lawful origin and I strongly support the application to register The Green as a village green which would benefit the neighbourhood for years to come.

Yours sincerely

Melvyn Charlton

X Marks my former house



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Dene House,
Station Bank
Mickley Square
NE43 7AU

17th March 2018

Evidence in support of claim to register

The Green at Mickley Square

I have lived at this address, which is in the neighbourhood of The Green at Mickley Square, marked in red on the attached plan, since 2015.

During the time I have lived here, I have never been stopped or challenged by anyone when walking across The Green. I have never seen any notices prohibiting the public using The Green and it has never been fenced in.

During this time, my children have played on the Green and I have walked across it. I have also attended the annual village BBQ held on The Green.

I have carried out these activities without anyone trying to stop me and I believe the activity should be treated by the law as having a lawful origin.

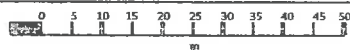
I have written knowing that this letter will be used in evidence to support the application to the register The Green as a village green. I fully support the application to ensure that The Green continues to be used to benefit of the neighbourhood for years to come.

Yours sincerely,

Jacqueline Dowson

* Marks my house

* marks my house



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E4

1 Eltringham Cotts

Mickley
Stocksfield
NE43 7BX

18/3/2018

Evidence in support of claim to register The Green at Mickley Square

We have lived at this address, which is directly opposite the the Green at Mickley Square, marked in red on the attached plan, since 1996.

During the time we have lived here, our use of the Green has never been challenged by anyone and we have never had access denied when walking across The Green. We have never seen any notices prohibiting the public using The Green and there have never been any physical barriers preventing access such as fencing or walls.

Over the years, we have used The Green for various forms of recreation including walking the dog and community celebrations. Our children have played games on The Green in common with many of the children who live in the surrounding houses. Our family have regularly attended the annual village barbeque on The Green which has been held over the previous 7 years.

We can confirm that I have carried out the activities referred to in this letter for years without anyone trying to stop us and believe the activity should be treated by the law as having a lawful origin.

We have written knowing that this letter will be used in evidence to support the application to register The Green as a village green. We fully support the application to ensure that The Green continues to be used benefit the neighbourhood for years to come.

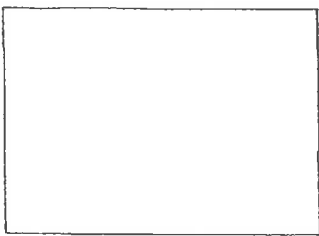
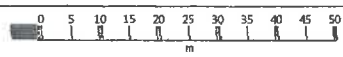
Yours Sincerely,

Mr Andy and Mrs Sue Green



sign

X MARKS MY HOME



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21 Ridding Terrace

Mickley.

NE43 7BU

09.03.2018.

Evidence in support of the claim to register The Green in Mickley square. I have lived in Mickley for 66 years, 42 years at this address, which is in sight of the area named as The Green at Mickley Square, marked in red on the attached plan. In all that time I have lived in the village no one has stopped or challenged me when walking across the green.

I have never seen any notices prohibiting the public using the green and it has never been fenced in.

Over the years I have seen the green used for recreations such as playing games, community celebration, the annual village barbeque has been held on the green for the past seven years with out any problems. I can also go back 50 years or more to the days during the school holidays some of the local boy's, my self included would use the green as one of our regular camping sites this was also with out any problems. I have seen the activities referred to in this letter carried out for years without any complaints from any one, no one has ever been stopped from using the green.

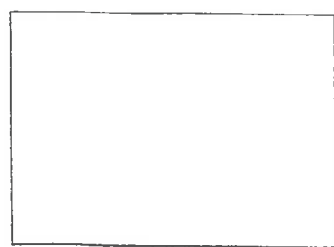
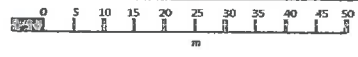
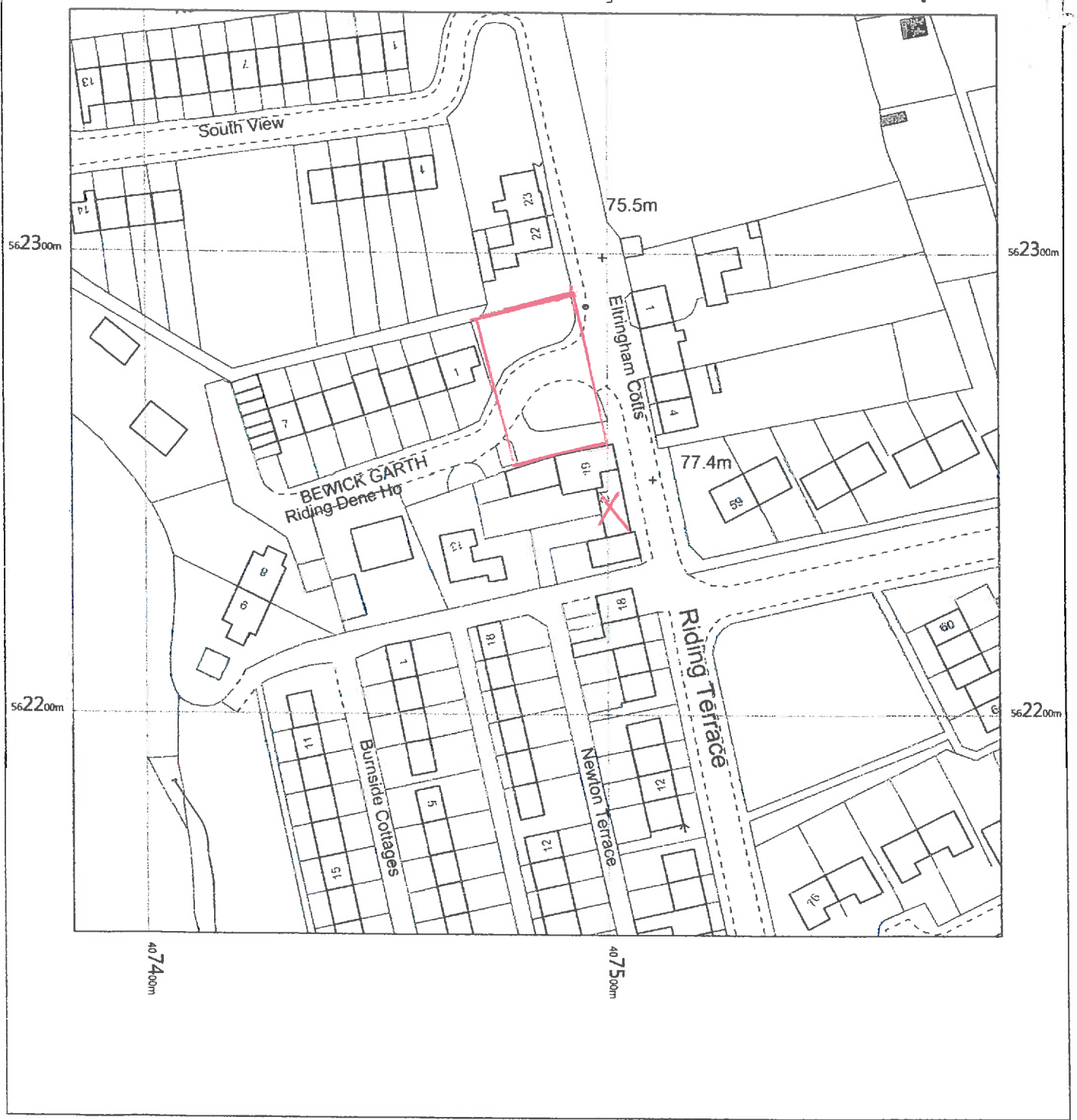
I have written knowing that this letter will be used in evidence to support the application to register The Green as a village Green. I fully support the application to ensure that the Green continues to be used for the benefit of the neighbourhood for many years to come.

Yours sincerely

J E Fenwick

2

The X marks my house



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Bewick House, Bewick Garth, Mickley Square, Northumberland NE 43 7AU

24th March 2018

**Evidence in support of claim to register
Bewick Green at Mickley Square**

I have lived at this address, which is in the neighbourhood of The Green at Mickley Square, marked in red on the attached plan, since 2007.

During the time I have lived here, I have never been stopped or challenged by anyone when walking across The Green. I have never seen any notices prohibiting the public using The Green and it has never been fenced in.

I regularly walk over the Green and since about 2009 I have cut the grass on the Green as well. I have also pruned the tree nearest to my house on two occasions, cut down a dead tree and planted a new one.

In 2010 we created a flower bed and improved the public path in front of Bewick House to tidy up what had been a unseemly gravel area, where the previous owner of Bewick House had parked his cars.

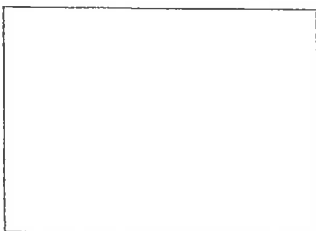
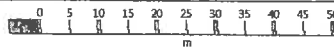
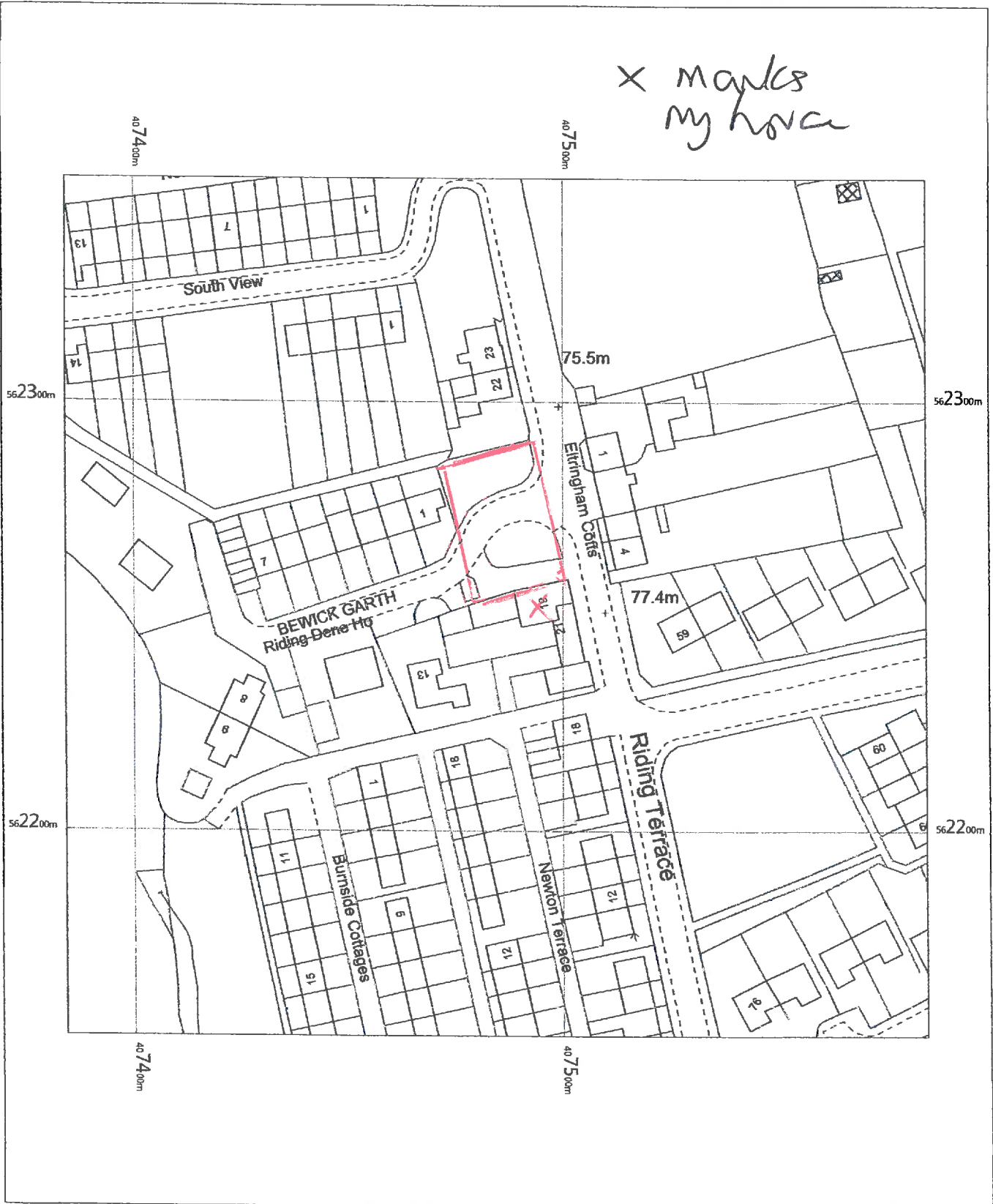
I am one of the organisers of the annual village BBQ which has been held on the Green since 2008. It is advertised to the surrounding houses and regularly draws about 50 people who bring their own chairs and tables and use a large BBQ provided by one of the neighbours. It has become an eagerly anticipated annual get together.

I have carried out the activities referred to in this letter for years without anyone trying to stop me and I believe the activity should be treated by the law as having a lawful origin.

I have written knowing that this letter will be used in evidence to support the application to the register The Green as a village green. I fully support the application to ensure that The Green continues to be used to benefit of the neighbourhood for years to come.

Yours sincerely, George Hepburn OBE

X marks my house



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E7

Post Office Cottage,
Station Bank
Mickley.
Northumberland
NE437BX

24th March 2018

Evidence in support of claim to register

The Green at Mickley Square

I have been at this address, which is in the neighbourhood of The Green at Mickley Square, marked in red on the attached plan, since 1990.

During this time I have never been stopped or challenged by anyone when walking across The Green. I have never seen any notices prohibiting the public using The Green and it has never been fenced in.

Over the years, I have used The Green for recreation including exercise and eating lunch. There has been an annual village barbeque on The Green for the past 7 years which I have attended on occasions. I also plant up and maintain the two large planters, one on each side of the green, and have done this for several years.

I often see and hear children playing on the green, and people walking their dogs; it is a village amenity.

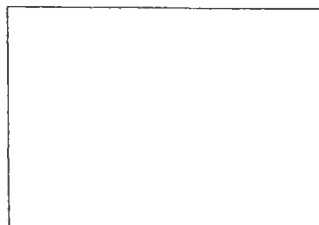
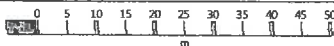
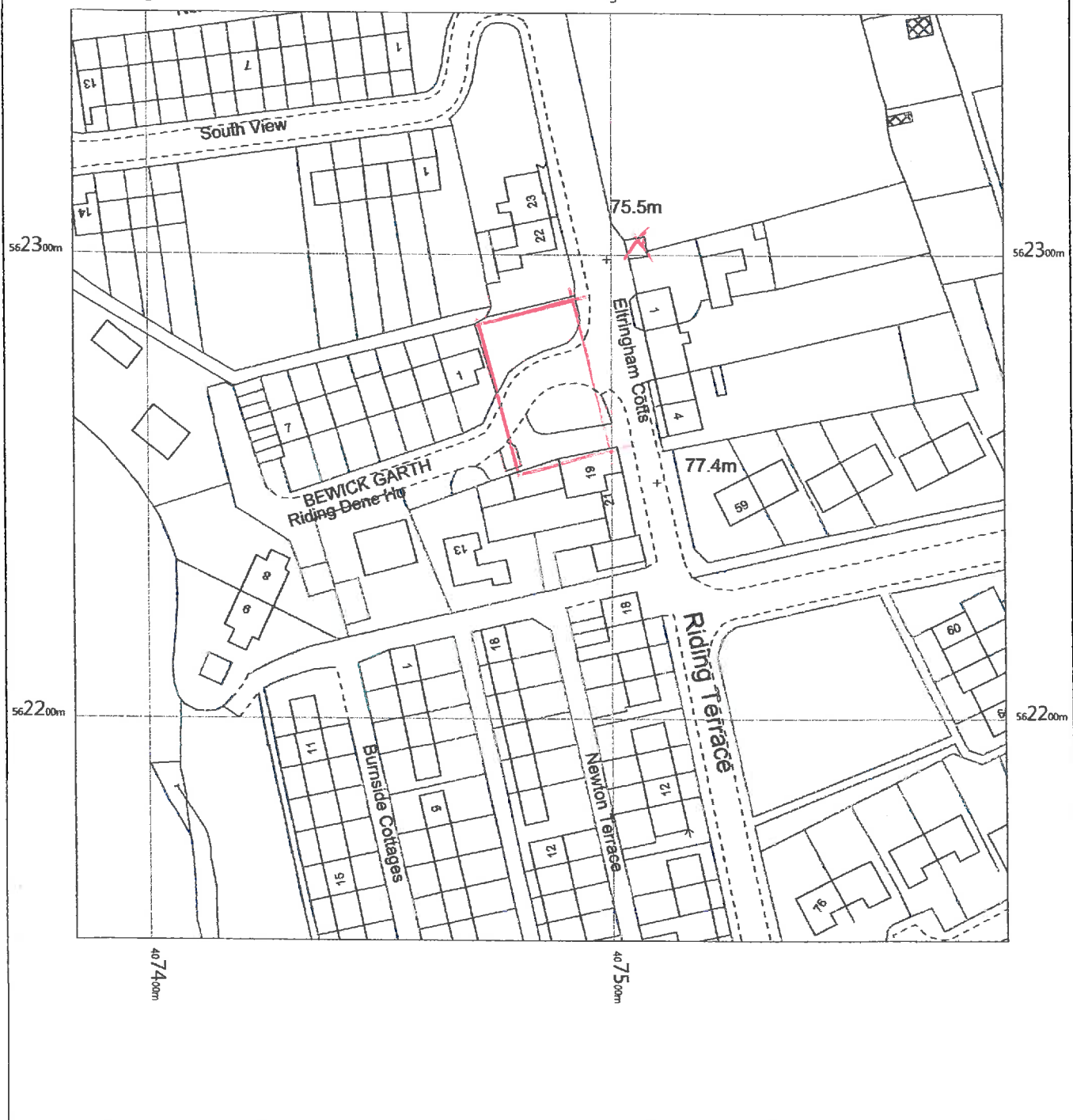
I have carried out the activities referred to in this letter for years without anyone trying to stop me and I believe the activity should be treated by the law as having a lawful origin.

I have written knowing that this letter will be used in evidence to support the application to register The Green as a village green. I fully support the application to ensure that The Green continues to be used to benefit of the neighbourhood for years to come.

Yours sincerely,

J.D. McGregor Hepburn

x marks my office



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8 March 2018

Evidence in support of claim to register The Green at Mickley Square

I resided at Dene House, 22 Riding Terrace, Mickley, NE43 7BU from 1952 through to my marriage in 1977. The property is still owned by me and my wife and throughout my residency in Mickley the green outlined on the attached plan, in red, has been a place of recreation. I operated the village Post Office from the property through to its closure in 2008. I have memories of children playing on the green.

Never have I or my wife been challenged nor stopped from walking or sitting on The Green nor have there ever been signs or notices prohibiting use by members of the public.

Whilst no longer living at Dene House I rent the property out and I know that my tenants and their children have used The Green for playing and picnicking. Additionally I know that they have attended the annual Village Barbeque since its inception in 2009.

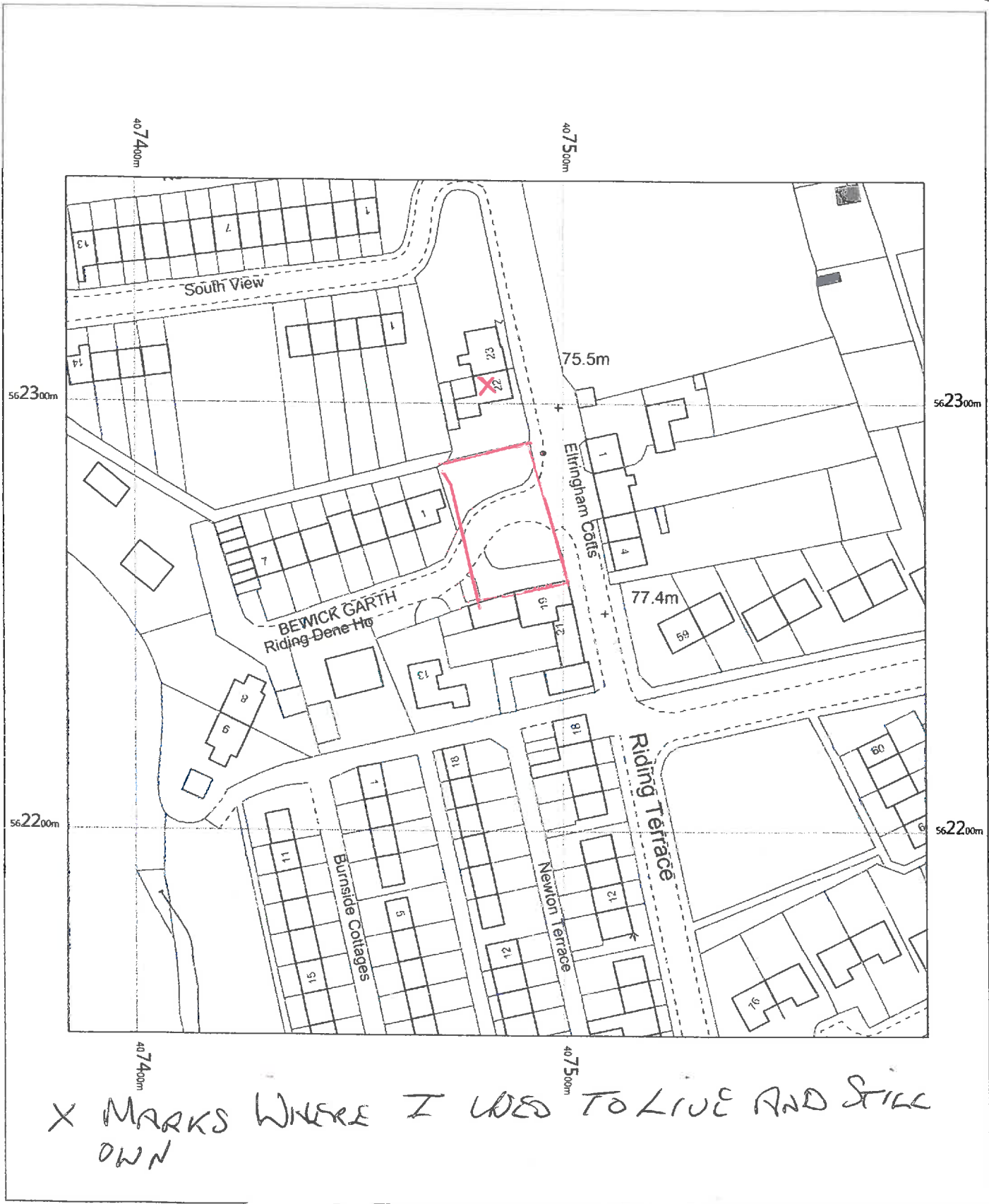
I believe that the activities of walking and sitting enjoying the fresh air that me and my wife have enjoyed over many years should be treated by the law as having a lawful origin.

I understand that this letter will be used in evidence to support the application to register The Green as a village green. My wife and I fully support the application to ensure that The Green remains a space to be used and enjoyed by the residents of the neighbourhood for years to come.

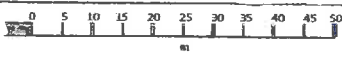
Yours faithfully

Christopher Johnston and Susan Helen Johnston

28



X MARKS WHERE I USED TO LIVE AND STILL OWN



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RIVENDELL, BEWICK GARTH
MICKLEY, STOCKSFIELD,
NORTHUMBERLAND, NE43 7AU

17/3/2018

I have lived at the above address, which is in the neighbourhood of The Green at Mickley Square, marked in red on the attached plan, since 1996

During the time I have lived here I have never been stopped or challenged by anyone when walking across The Green. I have never seen any notices prohibiting members of the public from using The Green, and it has never been fenced in.

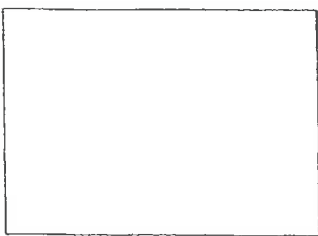
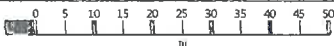
Over the years I have used The Green for many recreational activities such as, playing games with my children, they learned to ride their bikes on the green, picknicking , playing with and training my dogs, and photographing various members of my family as it has always been such a nice setting. Also there has been an annual village barbecue held on The Green for the past 7 years, organised, well attended, and enjoyed by the residents of Bewick Garth and surrounding neighbours. This has always helped greatly to establish a good community spirit among the residents.

I have carried out the above activities referred to in this letter for years without anyone trying to stop me, and I believe the activity should be treated by the law as having lawful origin.

I have written knowing that this letter will be used as evidence to support the application to register The Green as a Village Green. I fully support the application to ensure that The Green will continue to be used for the benefit of the neighbourhood for years to come.

Yours sincerely

CHERYL JOHNSON



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E 10

8 Bewick Garth

Mickley

Stocksfield

NE43 7AU

19/03/2018

Evidence in support of claim to register

The Green at Mickley Square

I have lived at this address, which is in the neighbourhood of The Green at Mickley Square, marked in red on the attached plan, since September 2016.

During the time I have lived here, I have never been stopped or challenged by anyone when walking across The Green. I have never seen any notices prohibiting the public using The Green and it has never been fenced in.

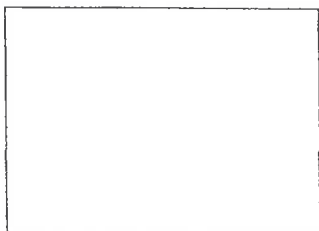
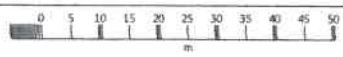
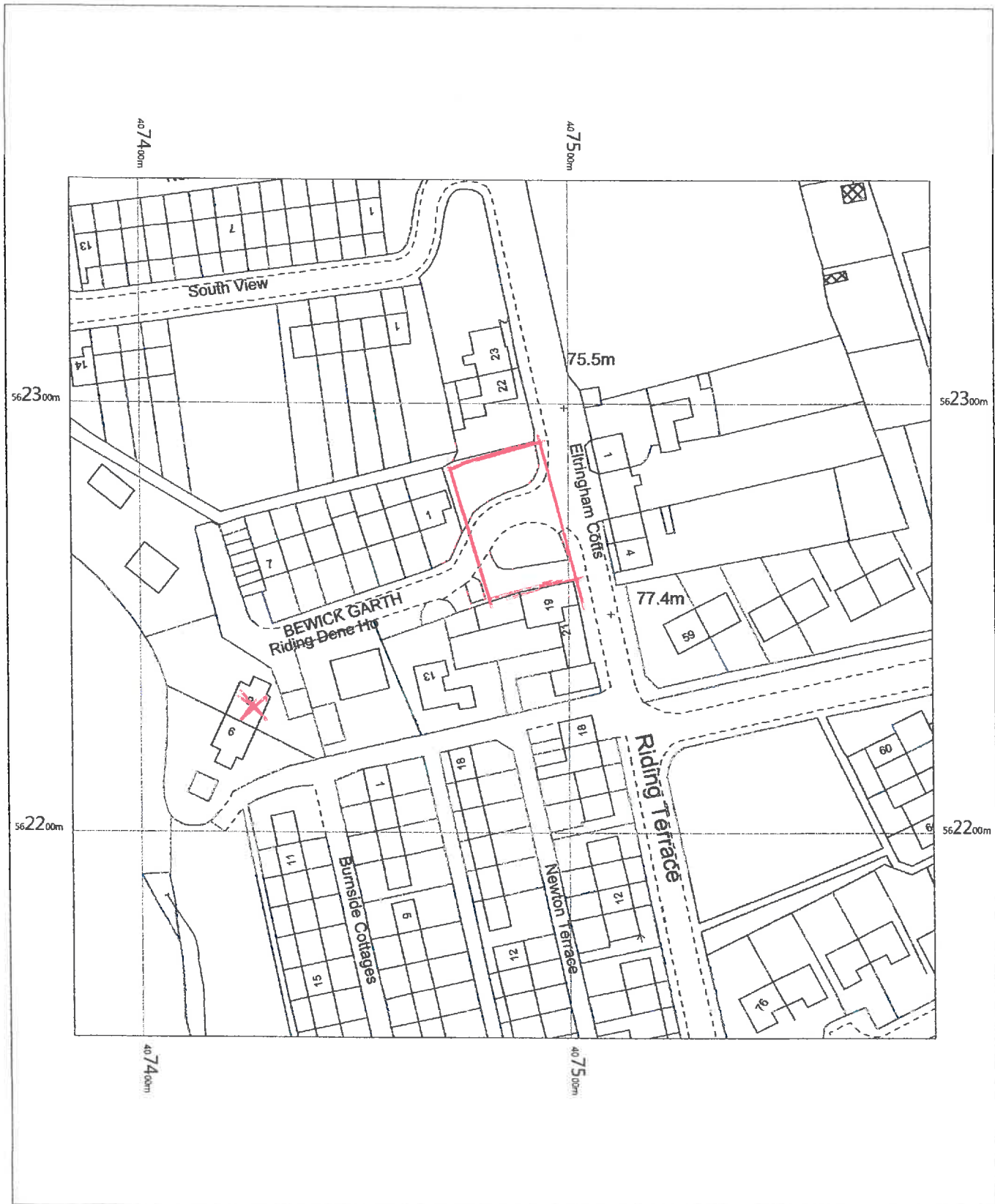
There has been an annual village barbeque on The Green for the past 7 years. Although we were unable to make it last year, I am looking forward to joining in with this over the coming years. We were informed about this before we bought our house, and this was an influencing factor, as we wanted to live somewhere which has a strong community spirit.

I understand that The Green has been used for many years for walking the dog/ exercise/ playing games/ community celebrations/ picnicking, etc., and I believe these activities should be treated by the law as having a lawful origin. I am strongly of the opinion that it is very important for a community that it should have access to a common shared area which can be used for the benefit of all who live near-by.

I have written knowing that this letter will be used in evidence to support the application to the register The Green as a village green. I fully support the application to ensure that The Green continues to be used to benefit of the neighbourhood for years to come.

Yours sincerely,

Mr Adrian Lamb



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EU

Paul and Bettina Newton
Phoenix House
Bewick Garth
Mickley Square
Northumberland
NE43 7AU

16th March 2018

Evidence in support of claim to register

The Green at Mickley Square

We have lived at this address, which is in the neighbourhood of The Green at Mickley Square, marked in red on the attached plan, since 2004.

During the time we have lived here, we have never been stopped or challenged by anyone when walking across The Green. We have never seen any notices prohibiting the public from using The Green and it has never been fenced in.

Over the years, we have used The Green for various forms of recreation including picnics, playing games and community celebrations. There has been an annual village barbeque on The Green for the past 7 years which we have attended and enjoyed.

The Green is popular with our children who can kick a football around or play catch in a safe and pleasant environment and it is particularly lovely in the Spring time when the daffodils are in bloom.

We have carried out the activities referred to in this letter for years without anyone trying to stop us and we believe the activity should be treated by the law as having a lawful origin.

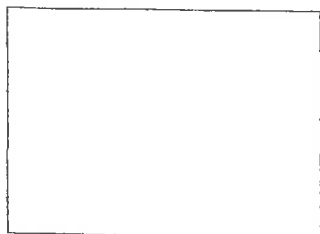
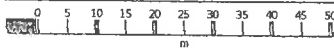
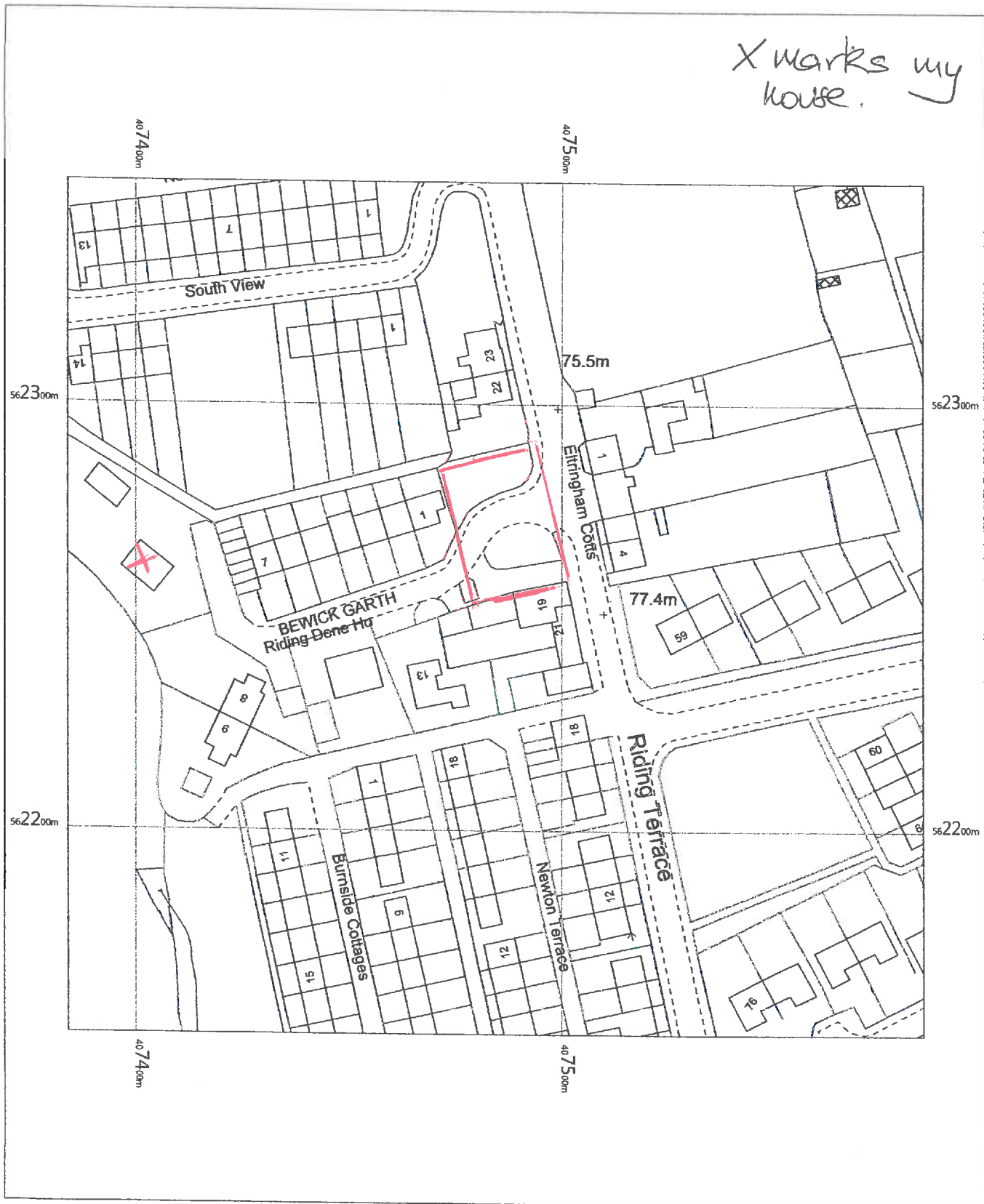
We have written knowing that this letter will be used in evidence to support the application to register The Green as a village green. We fully support this application to ensure that The Green continues to be used to the benefit of the neighbourhood for years to come.

Yours sincerely

Paul Newton

Bettina Newton

X marks my house.



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F12

Rev. Mark Sharman

4 Eltringham Cottages

Mickley, Stocksfield NE43 7BX

4/3/2018

Evidence in support of claim to register

The Green at Mickley Square

Dear Sir

I have lived at this address, which is opposite The Green at Mickley Square, marked in red on the attached plan, since 1995.

During the time I have lived here, I have never been stopped or challenged by anyone when walking across The Green. I have never seen any notices prohibiting the public using The Green and it has never been fenced in.

Over the years, I have used The Green for recreation including walking the dog, playing games, community celebrations. There has been an annual village barbeque on The Green for the past 7 years. (which I have attended).

I believe that this communal open space is vital for keeping a sense of community in our village.

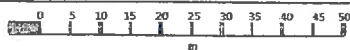
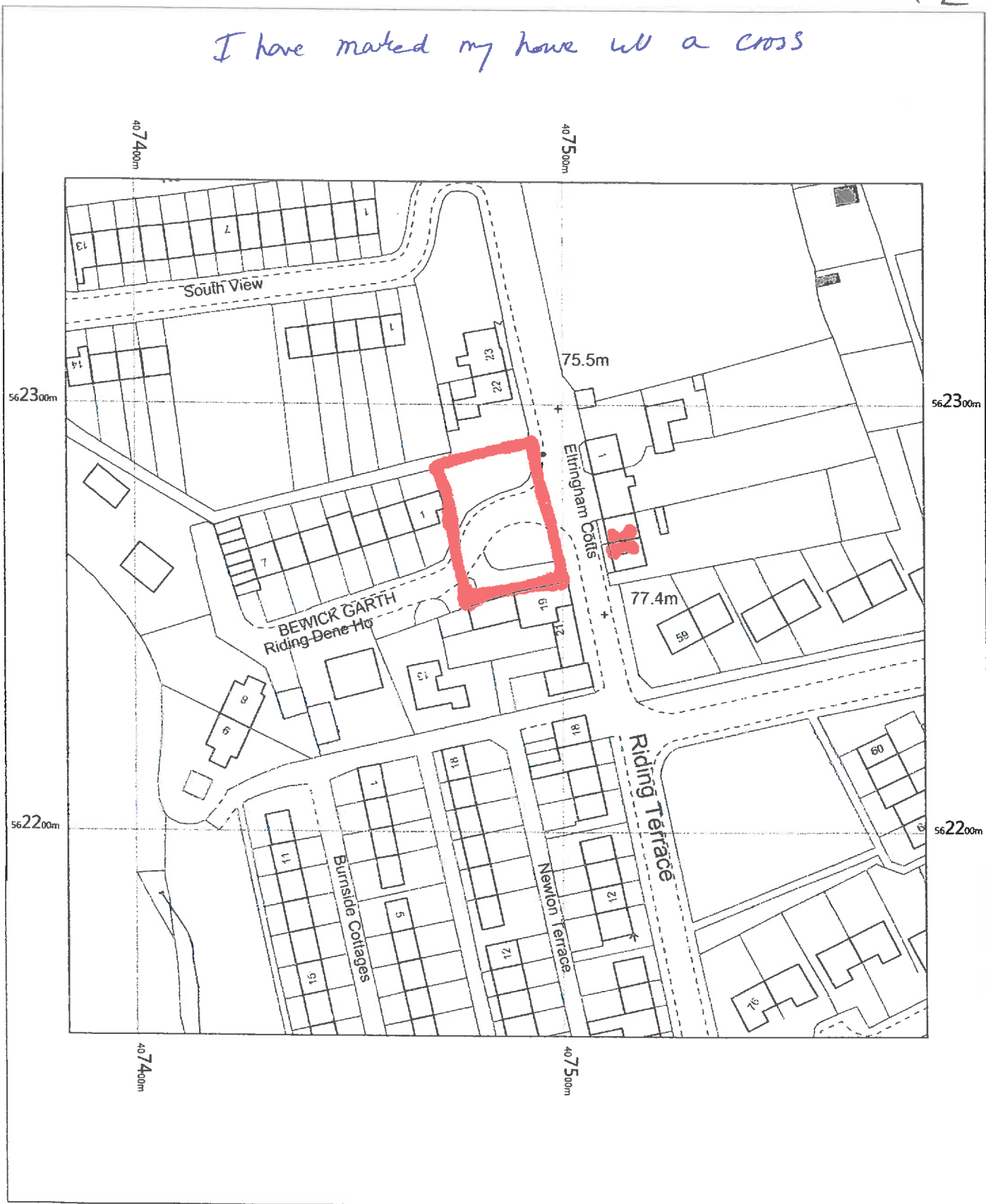
I have carried out the activities referred to in this letter for years without anyone trying to stop me and I believe the activity should be treated by the law as having a lawful origin.

I have written knowing that this letter will be used in evidence to support the application to the register The Green as a village green. I fully support the application to ensure that The Green continues to be used to benefit of the neighbourhood for years to come.

Yours sincerely,

REV MARK SHARMAN

I have marked my house with a cross



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20 Riding Terrace, F13
Mickley
NE4 3 7BU

17th March 2018.

EVIDENCE IN SUPPORT OF A CLAIM TO REGISTER
BENWICK GREEN AT MICKLEY SQUARE

We have lived at the above address for the past twenty-nine years and you will see from the attached plan that we are close to the area in question.

In all that time we have never been stopped or challenged by anyone when crossing the green and there have never been any prohibiting notices or fencing.

Over the years our family have used Benwick Green for play and community activities and as a pathway to the lanes in the lower part of the village. We believe that such activity should be treated by the law as having a lawful origin.

We fully support the application to register Benwick Green as a village green and are content that this letter may be used in evidence for the application.

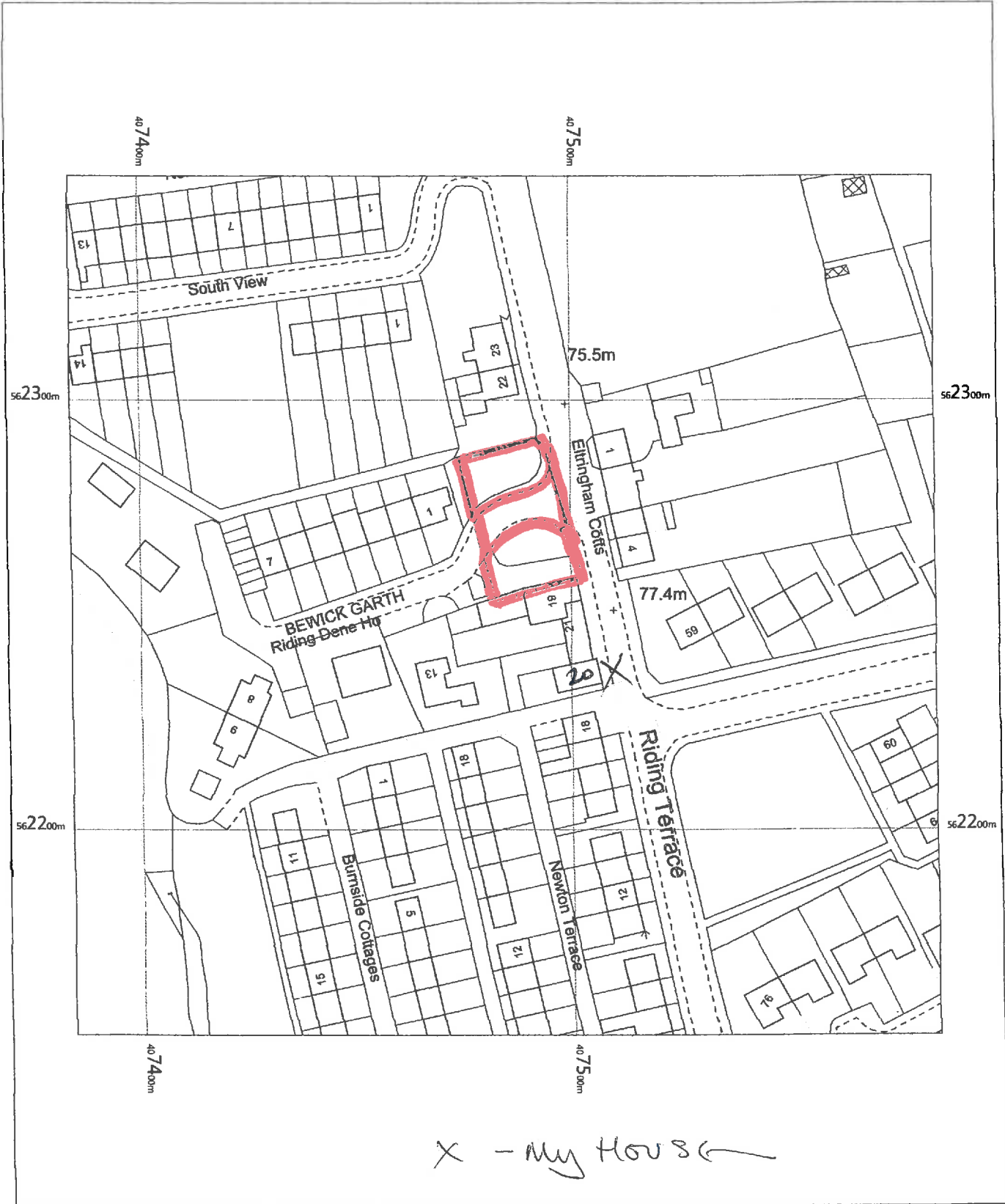
Yours sincerely,

[Dr. Keith Shaw]

[DR. DIANE WESTWOOD] A47

X13

Bewick House



X - my house ←

18/8/18.



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58 Riding Dene,
Mickley Square,
Stocksfield.
Northumberland.
NE43 7DQ

05/03/2018

Evidence in support of claim to register

"The Green" at Mickley Square

I have lived at this address, which is in the neighbourhood of "The Green" at Mickley Square, marked in red on the attached plan, since September 2013.

During the time I have lived in Mickley Square, no one has stopped or challenged me when walking on "The Green". I have never seen any notices prohibiting the public using The Green and it has never been fenced in.

In this time, I have used "The Green" for recreation including walking the dog and community celebrations. There has been an annual village barbeque on "The Green" for the past 7 years and I have attended this enjoyable event.

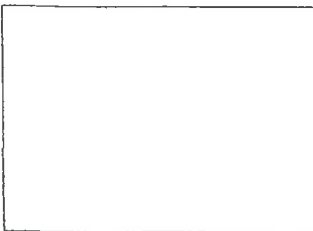
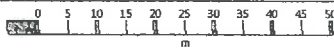
I have carried out the activities referred to in this letter in the time we have lived here without anyone trying to stop me and I believe the activity should be treated by the law as having a lawful origin.

I have written knowing that this letter may be used as evidence to support the application to register "The Green" as a village green. I fully support the application, to ensure that "The Green" continues to be used to benefit the neighbourhood for years to come.

Yours sincerely,

Hilary Skoyles

X marks my house



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2 Sandysykes
Halfway
Prudhoe
Northumberland
NE42 6LW

19/03/2018

Evidence in support of claim to register

The Green at Mickley Square

I have lived at this address, since returning to the area in 2008. Between 1975 and 1986 I lived in Bewick Garth, which is in the neighbourhood of The Green at Mickley Square, marked in red on the attached plan.

During the time I lived here, I was never stopped or challenged by anyone when walking across The Green. I have never seen any notices prohibiting the public using The Green and it has never been fenced in.

Over the years, I have used The Green for recreation including, walking on, making snow men, playing snowballs and generally playing games as a child.

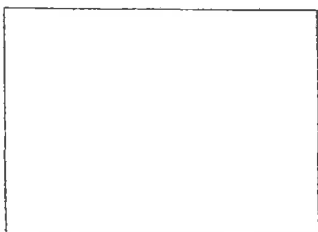
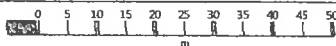
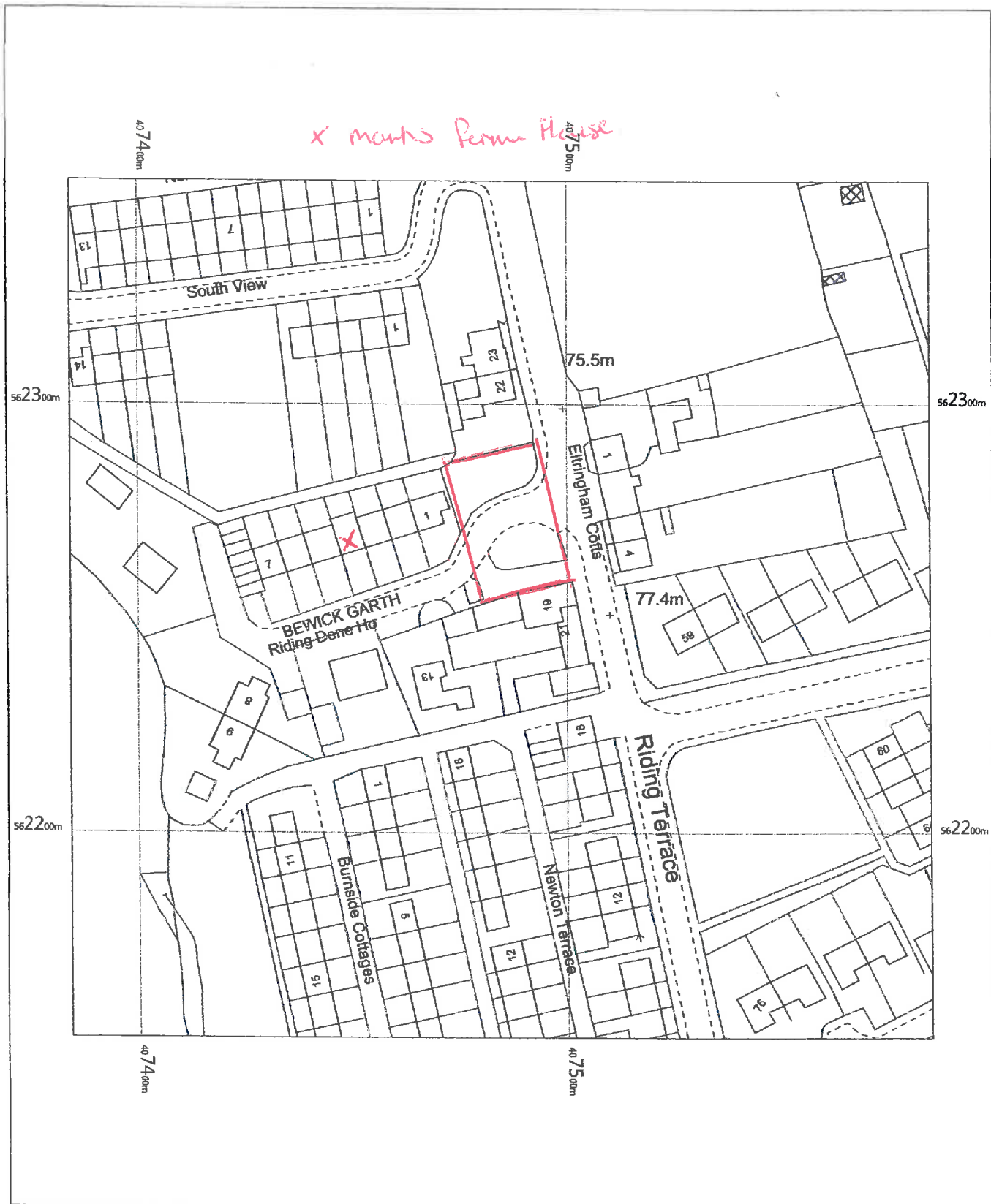
I carried out the activities referred to in this letter for years without anyone trying to stop me and I believe the activity should be treated by the law as having a lawful origin.

I have written knowing that this letter will be used in evidence to support the application to the register The Green as a village green. I fully support the application to ensure that The Green continues to be used to benefit of the neighbourhood for years to come.

Yours sincerely,

Stephen Smith

x marks Farm House



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2 Eltringham Cottages

Mickley Square

NE43 7BX

25/3/18

Evidence in support of claim to register

The Green at Mickley Square

I have lived at this address, which is in the opposite The Green at Mickley Square, marked in red on the attached plan, since 2007.

During the time I have lived here, I have never been stopped or challenged by anyone when walking across The Green. I have never seen any notices prohibiting the public using The Green and it has never been fenced in.

Over the years, I have used The Green for recreation including exercise, playing games and community celebrations. My 3 young children regularly play football on the green as we can keep an eye on them from our house. There has been an annual village barbeque on The Green for the past 7 years. (which I have attended).

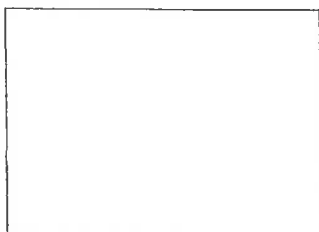
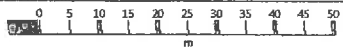
I have carried out the activities referred to in this letter for years without anyone trying to stop me and I believe the activity should be treated by the law as having a lawful origin.

I have written knowing that this letter will be used in evidence to support the application to the register The Green as a village green. I fully support the application to ensure that The Green continues to be used to benefit of the neighbourhood for years to come.

Yours sincerely,

Graham Storey

X marks my house



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E17

Mr RD Warr
5 Riding Terrace
Mickley Square
Stocksfield
NE43 7BU

Monday 19th March 2018

Evidence in support of claim to register

The Green at Mickley Square

I have lived at this address, which is in the neighbourhood of The Green at Mickley Square, marked in red on the attached plan, since 2005.

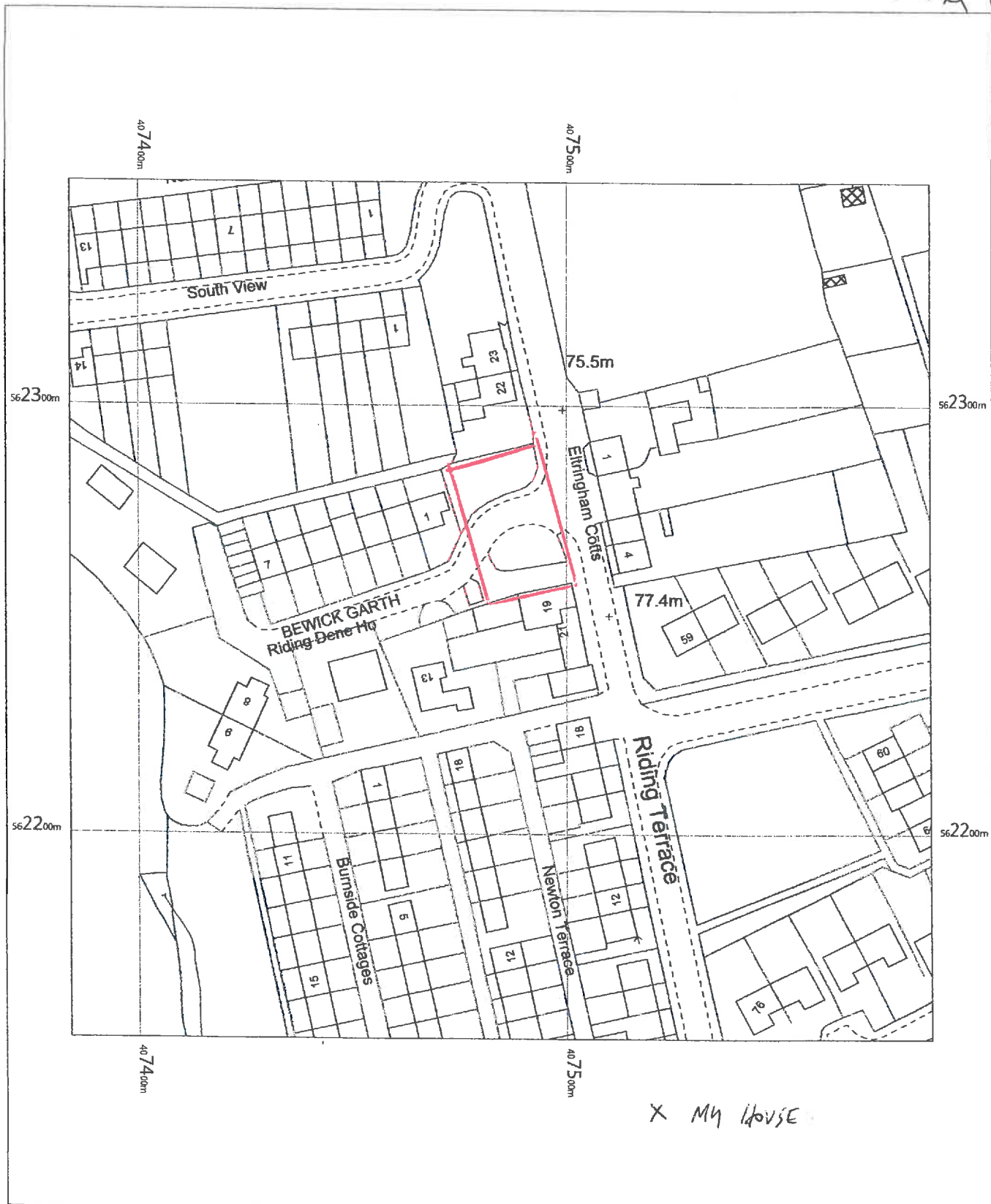
During the time I have lived here, I have never been stopped or challenged by anyone when walking across The Green. I have never seen any notices prohibiting the public using The Green and it has never been fenced in.

Over the years, I have used The Green for recreation including playing games and community celebrations. There has been an annual village barbeque on The Green for the past 7 years. (which I have attended).

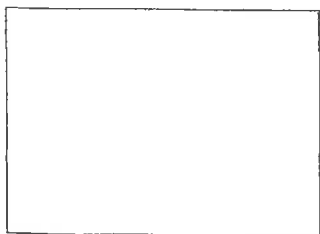
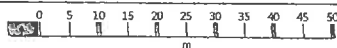
I have carried out the activities referred to in this letter for years without anyone trying to stop me and I believe the activity should be treated by the law as having a lawful origin.

I have written knowing that this letter will be used in evidence to support the application to the register The Green as a village green.

Rob Warr



X My House



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Paul and Jane Tailford
13 Riding Terrace
Mickley Square
NE43 7BU

25th March 2018

Evidence in support of claim to register

The Green at Mickley Square

We live at the above address, which is in the neighbourhood of The Green at Mickley Square, marked in red on the attached plan.

During the time we have lived here, we have never been stopped or challenged by anyone when walking across The Green. I have never seen any notices prohibiting the public using The Green and it has never been fenced in.

Over the years, we have used The Green for recreation including playing games and *community celebrations*. There has been an annual village barbeque on The Green for the past 7 years which we have attended with our family. We walk across the green most days on the way to our allotment.

We have carried out the activities referred to in this letter for years without anyone trying to stop me and I believe the activity should be treated by the law as having a lawful origin.

We have written knowing that this letter will be used in evidence to support the application to the register The Green as a village green.

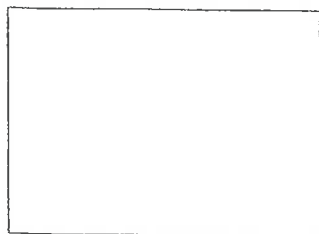
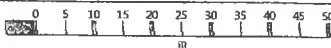
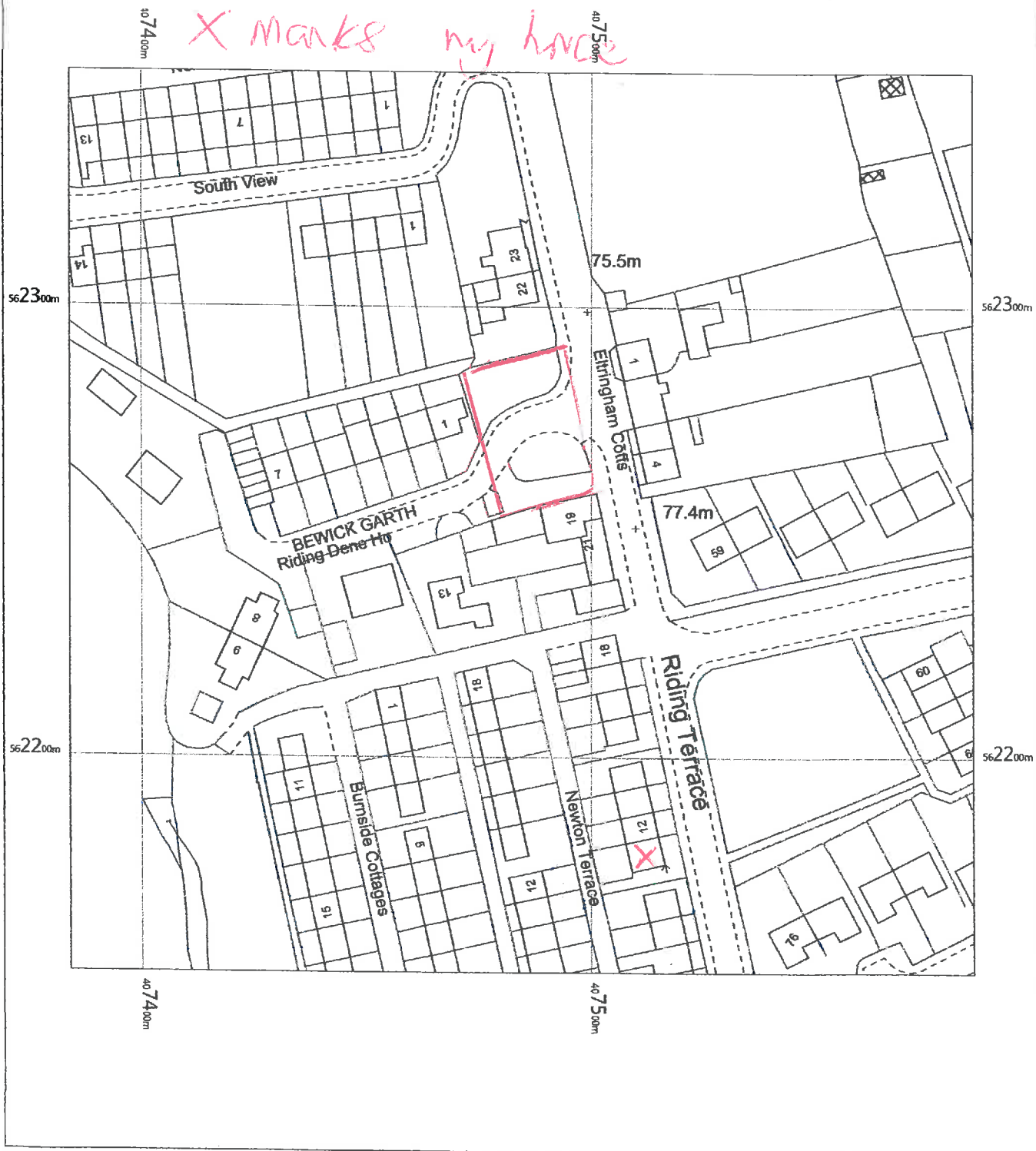
Yours sincerely,

Paul and Jane Tailford

Sign PT

Sign JT

X MARKS my house



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S, North View

mickley

Stacksfield,

Northumberland.

NE43 7DA

E 19

23.3.18

I have lived, at this address, which is in the neighbourhood of The Green at mickley Square, marked in red on the attached plan, since 1994.

During the time I have lived here, I have never been stopped or challenged by anyone when walking across The Green. I have never seen any notices prohibiting the public using The Green and it has never been fenced in.

Over the years, I have used The Green for recreation including walking, community celebrations etc. There has been an annual village barbeque on The Green for the past 7 years (which I have attended).

I have carried out the activities referred to in this letter for years without anyone trying to stop me and I believe the activity should be treated by the law as having a lawful origin. I have

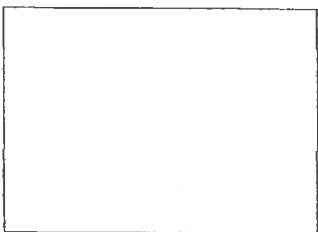
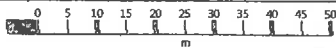
P.T.O

written knowing that this letter will be used in evidence to support the application to register the The Green as a village green. I fully support the application to ensure that The Green continues to be used to benefit the neighbourhood for years to come.

Yours sincerely,

ANDREA CHARLTON.

X marks my house



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B. Directions

**IN THE MATTER OF AN APPLICATION TO REGISTER LAND AT BEWICK
GREEN IN MICKLEY SQUARE AS A TOWN OR VILLAGE GREEN**

AND IN THE MATTER OF THE COMMONS ACT 2006 (AS AMENDED)

DIRECTIONS

1. I am instructed by Northumberland County Council in its capacity as the relevant registration authority to act as an independent inspector and to conduct a Public Inquiry for the purposes of consideration of the above application for registration of land as a town or village green. The below Directions provide for the procedure and preparatory steps to be adopted in respect of the Inquiry.
 - (1) The present time estimate for the Inquiry is 1 day. It is intended that the Inquiry be conducted remotely subject to any submissions from the parties as to the non-suitability of this Inquiry to be heard remotely (by Zoom or MS Teams).
 - (2) There will be a pre-inquiry hearing (to be conducted remotely) on the first suitable date on or after 1st December 2020. The purpose of the pre-inquiry hearing will be to address *among others* the procedure for the Inquiry and the mechanics of a remote Inquiry. It will allow the opportunity for any queries to be raised by the Applicant as I am conscious he is not legally represented.
 - i. The Parties shall provide their availability for a pre-inquiry hearing (time estimate 1 hour) between 1st December and 18th December 2020. They should do so by no later than 17th November 2020.
 - ii. The Parties shall provide the Registration Authority with an email address of the representative who will attend the Pre-Inquiry Hearing on their behalf by no later than 7 days before the hearing. An email invitation will be sent by return which will allow attendance at the hearing regardless of the software on the device. In default of all parties having access to a camera-enabled device, the hearing will proceed without video.

(3) The Inquiry itself will be listed on a suitable date in a window between 18th January 2021 and 31st March 2020. The following directions shall apply in relation to the Inquiry.

- i. Each party is entitled to call oral evidence from no more than 4 witnesses for the purposes of the Inquiry.
- ii. No later than 14 days before the date of the Inquiry, the parties shall each provide to the Registration Authority three copies of a bundle of documents containing:-

1. A list of witnesses whom they intend to call to give oral evidence.
 2. A bundle containing (i) any signed and dated witness statements, letters, questionnaires or proofs of evidence of every witness the Party intends to call, containing the substance of their evidence (for the avoidance of doubt this can be the existing evidence already served and/or updated evidence on behalf of a witness); (ii) all other witness statements (if any), evidence questionnaires, statutory declarations and affidavits upon which the Party wishes to rely; and, (iii) any other documents (including maps and photographs) which are relied upon.
 3. If desired, an outline of their case together with any skeleton argument or legal submissions and copies of any legal authorities which are to be relied upon.
- iii. Thereafter the Registration Authority will circulate copies of the respective bundles to the parties as soon as possible together with an Inquiry bundle which shall contain the following:-
 1. Copies of the Application, the Objection and all letters of support to the application or letters of objection sent to the Registration Authority.
 2. Copies of all correspondence between the Registration Authority, the Applicant and the Objector.

3. A plan and statement as to the extent and nature of any public right of way or ways passing over or in the vicinity of the application land (including a copy of any relevant definitive map and statement)
- iv. The parties shall provide the Registration Authority with dates of availability for a one day inquiry in the above window by no later than 27th November 2020. It is envisaged that witnesses will give evidence remotely and subject to a time-table to be agreed at the pre-inquiry hearing to minimise disruption.
- v. The Registration Authority will publicise the Inquiry by placing an advertisement in a local newspaper circulating in the area of the land subject to the application and by posting notices at the main points of entry to the town or village green (or, if there are no such places, in a conspicuous place at the site), as well as on its website, not later than 14 days before the date of the Inquiry. If the Inquiry is to proceed remotely (as will be determined at the pre-inquiry hearing), the advertisements will invite members of the public who wish to participate or attend the Inquiry to provide an email address by way of registration in order that they can be provided with an online link enabling them to join the Inquiry remotely. Any interested person shall be entitled, on reasonable notice and in Registration Authority business hours, to inspect the inquiry bundle held by the Registration Authority up until the conclusion of the Inquiry.
- vi. The sitting hours are subject to any direction by the Inspector during the course of the Inquiry, but will generally be from 9.30am to 11.30am, 12.30pm to 2.30pm, and 3pm to 5pm. The Inquiry will usually be conducted in the following order:-
 - Opening Remarks by the Inspector.
 - Any Opening statement by the Applicant.
 - The evidence of the Applicant's witnesses (including cross-examination and re-examination).
 - Any opening statement by the Objector.

The evidence of the Objector's witnesses (including cross-examination and re-examination).

Evidence and submissions by members of the public, at the discretion of the Inspector.

Any closing submissions by the Parties.

Any closing observations by the Inspector.

- vii. Witnesses and/or submissions may be heard out of order at the discretion of the Inspector and evidence will be given unsworn. If the matter proceeds remotely it will be likely that written closing statements will be directed to be provided within 7 days of completion of oral evidence at the Inquiry. The Inspector will hold an unaccompanied site visit to the application site and the parties can assume that such a site visit will have been undertaken by the time of the Pre-Inquiry Hearing.
- (4) The Applicants or the Objector may make a written application to the Inspector through the Registration Authority to vary or supplement these directions at any time before the Inquiry commences. The Inspector may supplement or vary these directions at any time prior to the commencement of the Inquiry, with or without such an application.
 - (5) The Inspector will provide the Registration Authority with a report and recommendation to assist the Registration Authority in deciding whether or not to grant the application.
 - (6) With these directions, the Registration Authority will provide its relevant contact details relating to any matter set out above, including an address for services of documents and an email address for ongoing correspondence.

JAMES MARWICK
Trinity Chambers
10th NOVEMBER 2020

**IN THE MATTER OF AN APPLICATION TO REGISTER LAND AT BEWICK
GREEN IN MICKLEY SQUARE AS A TOWN OR VILLAGE GREEN**

AND IN THE MATTER OF THE COMMONS ACT 2006 (AS AMENDED)

FINAL DIRECTIONS

1. The below directions follow the Pre-Inquiry Review on 8th December 2020 and take account that the Inquiry in this matter will take place remotely on 3rd March 2021 (by Zoom) with likely limited further evidence from the parties.
 - (1) The Non-Statutory Public Inquiry will proceed remotely on 3rd March 2021 at 9.30am (with a time estimate of no longer than one day).
 - (2) The Parties shall provide the Registration Authority with an email address of any representative or witness who will attend the Inquiry Hearing on their behalf by no later than 24th February 2021. An email invitation will be sent by return which will allow attendance at the hearing regardless of the software on the device.
 - (3) Each party is entitled to call oral evidence from no more than 4 witnesses for the purposes of the Inquiry. By 17th February 2021, the parties shall provide to the Inquiry:-
 - a) A bundle of documents (in pdf form, if possible), including any witness evidence, which they intend to rely on in addition to any witness evidence or documents already provided to the Registration Authority (*I bear in mind that the Applicant indicated he would be unlikely to be relying on any further evidence beyond that already filed and that the Objector would likely be relying on no more than one witness statement*).
 - b) If desired, an outline of their case together with any skeleton argument or legal submissions and copies of any legal authorities which are to be relied upon.

- (4) The Registration Authority will thereafter circulate a core inquiry bundle (including copies of relevant application and objection documentation, witness evidence already filed and correspondence between the parties, together with a plan and statement as to the extent and nature of any public right of way or ways passing over or in the vicinity of the application land (including a copy of any relevant definitive map and statement)).
- (5) The Registration Authority at the same time shall circulate any bundles of further documents filed by the parties in accordance with paragraph (3) above (again in default of any request to the contrary, in pdf form) and, if it is convenient, the same may be incorporated into the core bundle for ease of reference at the Inquiry.
- (6) The Registration Authority will publicise the Inquiry by placing an advertisement in a local newspaper circulating in the area of the land subject to the application and by posting notices at the main points of entry to the town or village green (or, if there are no such places, in a conspicuous place at the site), as well as on its website, by no later than 17th February 2021. The advertisement(s) will invite members of the public who wish to participate or attend the Inquiry to provide an email address by way of registration in order that they can be provided with an online link enabling them to join the Inquiry remotely.
- (7) Any interested person shall be entitled, on reasonable notice and in Registration Authority business hours (and subject to the practicalities of the same during any prevailing lockdown), to inspect the core inquiry bundle held by the Registration Authority up until the conclusion of the Inquiry.
- (8) The sitting hours are subject to any direction by the Inspector during the course of the Inquiry, but will generally be from 9.30am to 11.30am, 12.30pm to 2.30pm, and 3pm to 5pm.
- (9) The Applicants or the Objector may make a written application to the Inspector through the Registration Authority to vary or supplement these directions at any time before the Inquiry commences. The Inspector may supplement or vary these directions at any time prior to the commencement of the Inquiry, with or without such an application. The Inspector will provide the Registration Authority with a report and recommendation to assist the Registration Authority in deciding whether or not to grant the application.

19th January 2021

C. Objections and Withdrawal of Objections

Kathy Robson

From: David Brookes <david.brookes@northumberland.gov.uk>
Sent: 08 August 2019 11:23
To: Kathy Robson
Cc: Mike Robbins; Andrea Todd; Helen Lancaster
Subject: Re: Bewick Green, Mickley Square, Stocksfield, Northumberland

Kathy

Thank you for the email and attachments.

I can confirm that the central portion of the application site forms the highway known as Bewick Garth (U8281) and is maintainable at public expense by the Highway Authority.

The Highway Authority wishes to object to the application. The present day alignment of the highway seems to have been in place since approximately 1980 and map evidence appears to indicate that there was an access road across the claimed route since 1921.

The Highway Authority objection is that this part of the application site is a public right of way for highway purposes for all types of traffic and questions whether its statutory registration as a village green is compatible with it being a highway.

Let me know when you will require further information.

Ragards

David

On Thu, 8 Aug 2019 at 07:08, Kathy Robson <Kathy.Robson@northumberland.gov.uk> wrote:

SENT ON BEHALF OF HELEN LANCASTER, PRINCIPAL SOLICITOR, LEGAL SERVICES

Mike, David,

The Council in its capacity of Commons Registration Authority has received an application under Section 15 of the Commons Act 2006 for inclusion in the Register of Town or Village Greens. I enclose Form 45 together with a copy of the plan provided by the applicant from which you will see that any representations must be received by the Commons Registration Authority on or before 3 October 2019.

If you wish to make representations/wish advice with regard to the application please contact Lynne Jackson who should be able to assist you further. Lynne is on annual leave but is back 12 August. If you require a copy of the application please contact Kathy Robson.

Many thanks,

Helen Lancaster
Principal Solicitor
Legal Services

Northumberland County Council
County Hall
Morpeth
NE61 2EF

Telephone: 01670 623323

Fax: 01670 626030

E-mail: Helen.Lancaster@northumberland.gov.uk

Website: <http://www.northumberland.gov.uk>

--

David Brookes
Infrastructure Records Manager
Technical Services
County Hall
Morpeth
Northumberland
NE612EF

Tel: 01670 624134

EMail: david.brookes@northumberland.gov.uk

Bewick House, Bewick Garth, Mickley Square, Northumberland NE 43 7AU

28th October 2019

Helen Lancaster,
Principal Solicitor,
Legal Services,
Northumberland County Council,
County Hall,
Morpeth,
NE61 2EF

Dear Mrs Lancaster,

Application for Village Green – Mickley Square

Thank you for your letter of 24th October 2019 (ref HL/012406) informing me, as applicant for the registration of the village green at Mickley Square, of a representation from the Highway Authority and providing me the opportunity for dealing with the matters contained.

I contend that the existence of a public road across the Green is not a reason to refuse the application and that the Highway Authority objection is not valid.

In making the case for the Green to be registered under the Commons Act 2006, I am required to show, at Section 15 (3), that

- (a) a significant number of inhabitants
- (b) of any locality or neighbourhood within a locality
- (c) have indulged as of right
- (d) in lawful sports and pastimes
- (e) on the land
- (f) for a period of at least 20 years
- (g) and continue to do so at the date of the application

In commenting of the definition "on the land", John Riddall in 'Getting Greens Registered' (Open Space Society, third edition, 2017) states that:

The 2006 Act makes no reference to highway land. There is nothing to stop all or part of a highway being regarded as a town or village green if the circumstances justify this. Areas of open land alongside minor roads frequently do have a long-standing pattern of local recreational use, as opposed to one of mere passage from A to B. Many have already been successfully registered under the 1965 Act.

Registration arguably has no effect on the highway status of the land. Equally, the 'public' status of a highway does not nullify a claim that all or part of it is a green, so long as it is clear that the recreational use (as opposed to a mere passage along the highway) which takes place there is primarily or exclusively by local people.

In support of this assertion Riddall cites: the Commons Commissioner decisions in re Medstead Village Green, Hampshire (1979) 214/D/113 and in re The Green, Hargrave, Suffolk (1979) 234/D/79. 77 R (Whitney) v Commons Commissioners [2004] EWCA Civ 951; [2005] QB 282 78 McLaren v Kubiak [2007] EWHC 1065 (Ch),

I therefore conclude that the fact that the highway known as Bewick Garth (U8281) crosses the proposed Green is not a valid reason for it not to be registered.

The registration does not in any way prevent the Highway Authority from maintaining the road or affect the rights of the public to use the road. Neither does it relieve the Highway Authority of the responsibility of maintaining it. In short, the registration does not alter the situation with respect to the highway in any way.

The representation from the Highway Authority, as far as I can see from the advice of Open Space Society, does not prevent the Village Green at Mickley Square from being registered.

Yours sincerely,

George Hepburn OBE

Kathy Robson

From: Helen Lancaster
Sent: 04 February 2021 16:55
To: David Brookes
Cc: Lynne Jackson
Subject: FW: Mickley Square - application for village green
Attachments: Inspector's Directions BEWICK GREEN (FINAL).docx

Hi David,

Just to confirm that the applicant as agreed to exclude the highways land from his application.

Many thanks,

Helen Lancaster
Senior Manager
Legal Services
Northumberland County Council
County Hall
Morpeth
Northumberland
NE61 2EF

Telephone: 01670 623323
Fax: 01670 626030
E-mail: helen.lancaster@northumberland.gov.uk
Website: <http://www.northumberland.gov.uk>

From: Helen Lancaster
Sent: 25 January 2021 11:36
To: David Brookes <David.Brookes@northumberland.gov.uk>
Cc: Lynne Jackson <Lynne.Jackson@northumberland.gov.uk>
Subject: FW: Mickley Square - application for village green

David,

I enclose some Directions issued by the Inspector James Marwick and confirm that I have, on behalf of the Registration Authority put forward your proposal to the applicant.

I will get back to you further once I have a substantive response.

Many thanks,

Helen Lancaster
Senior Manager
Legal Services
Northumberland County Council
County Hall
Morpeth

Northumberland
NE61 2EF

Telephone: 01670 623323

Fax: 01670 626030

E-mail: helen.lancaster@northumberland.gov.uk

Website: <http://www.northumberland.gov.uk>

D. Correspondence

Kathy Robson

From: George Hepburn <[REDACTED]>
Sent: 18 December 2017 11:34
To: Anne Dale
Cc: Helen Lancaster
Subject: Re: Land at Bewick Garth, Mickley Square

Dear Helen,

I apologise. I thought I had emailed you about the land at Mickley Square but the email went to Anne and not to you.

I am considering whether I should seek to have the land outside my house on the corner of Bewick Garth and Station Bank registered as a village green and would be grateful for your advice.

I'm happy to come over to County Hall to discuss this with you or to do so over the phone as suits you best.

As it happens, and what prompted me to check this email train, is that I am at County Hall on Wednesday 20th for a meeting between 12 noon and 3pm.

So, if by any chance, you were free before or after that, would be convenient for me to meet you then.

But I realise this is short notice and coming up to Christmas so more than happy to arrange to call over or to speak on the phone after Christmas as is convenient to you.

Best wishes, George

web: bewickhouse.com

tel: [REDACTED]

column: <http://georgehep.wordpress.com/>

On 29 November 2017 at 17:03, Anne Dale <anne.dale@northumberland.gov.uk> wrote:

George,

Please may I introduce you to Helen Lancaster from NCC who I have spoken to concerning the piece of land at Bewick Garth. Please could you make contact with Helen as I think that this would be the best way forward for you to obtain the information you require.

With kind regards

Anne

Councillor Anne Dale,
Stocksfield, Mickley & Broomhaugh and Riding Division,
Northumberland County Council



Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

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Please, consider your environmental responsibility. Before printing this e-mail ask yourself: "Do I need a hard copy?"

Kathy Robson

From: George Hepburn <[REDACTED]>
Sent: 18 December 2017 11:57
To: Helen Lancaster
Subject: Re: Land at Bewick Garth,Mickley Square

Thanks; that would be great if I could be away at 11.50.

By the way, it is not clear to me who owns the land??

Best wishes, George

web: bewickhouse.com
tel: [REDACTED]
column: <http://georgehep.wordpress.com/>

On 18 December 2017 at 11:51, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

George,

Thank you for your e-mail.

I will be at County Hall on Wednesday and although as adviser to the Commons Registration Authority I cannot provide you with any advice as such on the application process I am happy to talk through the procedure with you.

I could meet you in County Hall reception at 11:30 if that assists.

Many thanks,

Helen Lancaster
Principal Solicitor
Legal Services
Corporate Resources Directorate
Northumberland County Council
County Hall
Morpeth
NE61 2EF
Telephone: 01670 623323
Fax: 01670 626030
E-mail: Helen.Lancaster@northumberland.gov.uk
Website: <http://www.northumberland.gov.uk>

From: George Hepburn [mailto:[REDACTED]]
Sent: 18 December 2017 11:34
To: Anne Dale
Cc: Helen Lancaster
Subject: Re: Land at Bewick Garth,Mickley Square

Dear Helen,

I apologise. I thought I had emailed you about the land at Mickley Square but the email went to Anne and not to you.

I am considering whether I should seek to have the land outside my house on the corner of Bewick Garth and Station Bank registered as a village green and would be grateful for your advice.

Im happy to come over to County Hall to discuss this with you or to do so over the phone as suits you best.

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So, if by any chance, you were free before or after that, would be convenient for me to meet you then.

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On 29 November 2017 at 17:03, Anne Dale <anne.dale@northumberland.gov.uk> wrote:

George,

Please may I introduce you to Helen Lancaster from NCC who I have spoken to concerning the piece of land at Bewick Garth. Please could you make contact with Helen as I think that this would be the best way forward for you to obtain the information you require.

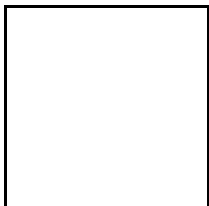
With kind regards

Anne

Councillor Anne Dale,

Stocksfield, Mickley & Broomhaugh and Riding Division,

Northumberland County Council



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Kathy Robson

From: George Hepburn <[REDACTED]>
Sent: 18 December 2017 19:40
To: Helen Lancaster
Subject: Re: Land at Bewick Garth, Mickley Square

Thank you Helen, and look forward to meeting you.

I am right at the beginning of the process and believe I need to establish:

- If the land is registered as a Green (according to searches carried out when we bought our house in 2005, it is not)
- Who owns the land???
- Whether there is a 'trigger event' that would prevent registration (not that I am aware)?
- Whether the owner has deposited a statement that would prevent registration?

I would be very grateful if you could point me in the right direction to resolve these preconditions.

This is a very small piece of land, bisected by a road (and will bring a plan). I would be interested to know whether there is a minimum size for a green..

I know I then to gather evidence but am already in touch with two people who have used the green over 20 years so hopeful that I can do so.

One of the regular events now is an annual village BBQ which I believe counts as a 'sport or pastime'

All this culled from gov.uk and a quick read of the Open Space Society guide.

I realise you cannot provide advice but grateful for your time on Wednesday.

Best wishes, George

web: bewickhouse.com

tel: [REDACTED]

column: <http://georgehep.wordpress.com/>

On 18 December 2017 at 14:30, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

George,

Thank you, I will note the date and time in my diary.

Many thanks,

Helen Lancaster
Principal Solicitor
Legal Services
Corporate Resources Directorate
Northumberland County Council
County Hall
Morpeth
NE61 2EF
Telephone: 01670 623323
Fax: 01670 626030
E-mail: Helen.Lancaster@northumberland.gov.uk
Website: <http://www.northumberland.gov.uk>

From: George Hepburn [mailto: [REDACTED]]
Sent: 18 December 2017 11:57
To: Helen Lancaster

Subject: Re: Land at Bewick Garth, Mickley Square

Thanks; that would be great if I could be away at 11.50.

By the way, it is not clear to me who owns the land??

Best wishes, George

web: bewickhouse.com
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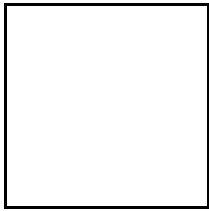
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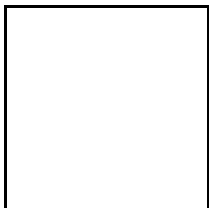


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Kathy Robson

From: George Hepburn
Sent: 23 March 2018 07:42
To: Helen Lancaster
Subject: Registration of Mickley village green

Dear Helen,

We spoke before Christmas about plans to apply for registering the green here.

I will complete the application over the weekend and would hope to deliver it to County Hall early next week.

Is that right and should I mark it for your attention?

Best wishes, George

tel: [REDACTED]

Kathy Robson

From: George Hepburn
Sent: 30 April 2018 11:28
To: Helen Lancaster
Subject: Re: Application to register village green

Dear Helen,

You suggested I contact you at the end of the month if I had not heard further about the application to register the Green at Mickley Square and so am doing so. Can you give me an outline of the likely process and timetable please?

Best wishes, George

tel: [REDACTED]

On 28 March 2018 at 15:43, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

Mr Hepburn,

I confirm that I have received two folders headed 'Folder 1 of 2' and 'Folder 2 of 2'.

I confirm that we will now take a look at these and I will get back to you further.

I am afraid that we have a large volume of village green/common land matters outstanding at present so this will not be straightaway but if you have not heard from me by the end of April then please do not hesitate to contact me further.

Many thanks,

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Legal Services

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Telephone: 01670 623323
Fax: 01670 626030
E-mail: Helen.Lancaster@northumberland.gov.uk
Website: <http://www.northumberland.gov.uk>

From: George Hepburn [mailto: [REDACTED]]
Sent: 28 March 2018 15:35
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Dear Helen,

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Best wishes, George

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Kathy Robson

From: George Hepburn
Sent: 01 May 2018 10:33
To: Helen Lancaster
Subject: Re: FW: Application to register village green

Thank you.

Best wishes, George

tel: [REDACTED]

On 1 May 2018 at 09:53, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

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Thank you for your e-mail.

I confirm that I have now, in accordance with the Guidance to Commons Registration Authorities, contacted the Planning Inspectorate and the Council's Planning Department to request confirmation from them of whether a 'trigger event' has occurred in relation to the land; due to an amendment of the legislation in relation to greens, the right to apply for the registration of a green is excluded if any one of a number of prescribed planning related 'trigger events' has occurred.

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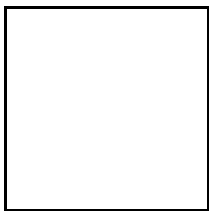
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Kathy Robson

From: George Hepburn
Sent: 12 June 2018 14:09
To: Helen Lancaster
Subject: Re: FW: Application to register village green

Thank you for the update.

Best wishes George
(sent clumsily from my phone)

On Tue, 12 Jun 2018, 13:53 Helen Lancaster, <helen.lancaster@northumberland.gov.uk> wrote:

Mr Hepburn,

Thank you for your email.

Further to my previous e-mail to you I confirm that I have now had a response from the Planning Inspectorate but I am awaiting a response from the Council's Planning Department – I have sent a reminder and will get back to you once I have heard from them further.

Many thanks,

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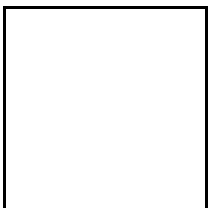
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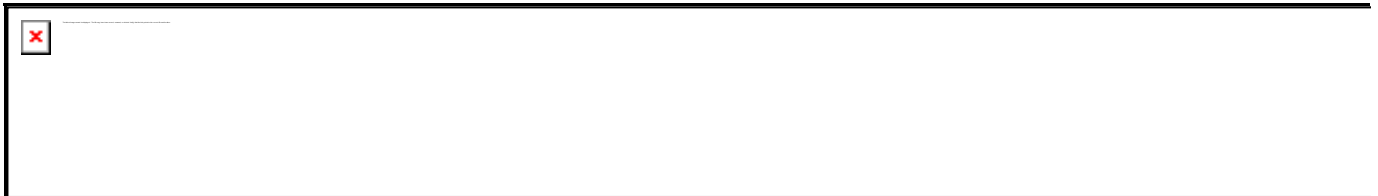
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Kathy Robson

From: George Hepburn
Sent: 02 July 2018 22:02
To: Helen Lancaster
Subject: Re: FW: Application to register village green

Dear Helen,

I am meeting some of the people who wrote supporting letters on Thursday and so wondered if any more progress to report?

Best wishes, George

tel: [REDACTED]

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Thank you for the update.

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On 28 March 2018 at 15:43, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

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Many thanks,

Helen Lancaster
Principal Solicitor
Legal Services
Corporate Resources Directorate
Northumberland County Council
County Hall
Morpeth
NE61 2EF
Telephone: 01670 623323
Fax: 01670 626030
E-mail: Helen.Lancaster@northumberland.gov.uk
Website: <http://www.northumberland.gov.uk>

From: George Hepburn [mailto: [REDACTED]]
Sent: 28 March 2018 15:35
To: Helen Lancaster
Subject: Application to register village green

Dear Helen,

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Kathy Robson

From: George Hepburn
Sent: 03 July 2018 09:16
To: Helen Lancaster
Subject: Re: FW: Application to register village green

Thank you very much. That's really helpful.

Best wishes George
(sent clumsily from my phone)

On Tue, 3 Jul 2018, 08:55 Helen Lancaster, <helen.lancaster@northumberland.gov.uk> wrote:

Mr Hepburn,

Thank you for your e-mail.

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From: George Hepburn
Sent: 10 September 2018 21:50
To: Helen Lancaster
Subject: Re: FW: FW: Application to register village green

Dear Helen,

You thought you would be in a position to give a substantive reply to the application by 24th August and so wonder if there has been any progress?

Best wishes, George

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Kathy Robson

From: George Hepburn
Sent: 24 October 2018 07:56
To: Helen Lancaster; Dale Anne
Subject: Re: FW: FW: Application to register village green

Dear Helen,

In your last email, you asked me to contact you again if I had not heard by 19th October which I am now doing.

I saw Cllr Dale last week about another matter and she asked to be copied into this email.

Best wishes, George

tel: [REDACTED]

On Tue, 11 Sep 2018 at 07:48, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

Mr Hepburn,

I thank you for your e-mail.

I confirm that a number of pressing issues have again intervened in the interim period and there are other village green issues which need to be dealt with but I would hope that this matter can be progressed to the next stage within the next few weeks.

If you have not heard from me 19th October then please feel free to contact me further.

Many thanks,

Helen Lancaster
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Dear Helen,

You suggested I contact you at the end of the month if I had not heard further about the application to register the Green at Mickley Square and so am doing so. Can you give me an outline of the likely process and timetable please?

Best wishes, George

tel: [REDACTED]

On 28 March 2018 at 15:43, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

Mr Hepburn,

I confirm that I have received two folders headed 'Folder 1 of 2' and 'Folder 2 of 2'.

I confirm that we will now take a look at these and I will get back to you further.

I am afraid that we have a large volume of village green/common land matters outstanding at present so this will not be straightaway but if you have not heard from me by the end of April then please do not hesitate to contact me further.

Many thanks,

Helen Lancaster
Principal Solicitor
Legal Services
Corporate Resources Directorate
Northumberland County Council
County Hall
Morpeth
NE61 2EF
Telephone: 01670 623323
Fax: 01670 626030

E-mail: Helen.Lancaster@northumberland.gov.uk
Website: <http://www.northumberland.gov.uk>

From: George Hepburn [mailto: [REDACTED]]
Sent: 28 March 2018 15:35
To: Helen Lancaster
Subject: Application to register village green

Dear Helen,

Could you please confirm that the application has been received. I left it at reception at County Hall on Monday. Thanks. Im off for three weeks from tomorrow so just trying to get everything settled.

Best wishes, George

tel: [REDACTED]

Error! Filename not specified.

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Northumberland

County Council

George Hepburn OBE
Bewick House
Bewick Garth
Mickley Square
Stocksfield
NE43 7AU

Your Ref:
Our Ref: HL/012406
Enquiries to: Helen Lancaster
Email: Helen.Lancaster@northumberland.gov.uk
Tel direct: 01670 623323
Date: 8 November 2018

Dear Mr Hepburn,

Application for Village Green - Mickley Square

I write further to my recent e-mail to you to confirm that we have now had the opportunity to consider whether the Form 44 application submitted by yourself has been 'duly made'.

I confirm that having had responses from the Planning Inspectorate and the Council's own Planning Services department that no 'trigger event' has taken place in relation to the land we have gone on to consider the application against the relevant Regulations and Guidance in order to ascertain if it has been 'duly made'.

Having done so I confirm that I must return your application to you as not being 'duly made' at this stage.

This is because you have not specified a 'locality' within your application at question 6. I confirm that further guidance on this point is available on the DEFRA website or from the Open Spaces Society.

I confirm that, following relevant Guidance and case law, we will now allow you to take a reasonable opportunity to amend and resubmit with the necessary changes and I confirm that you have until close of business on 31st January 2019 in order to do so.

Yours sincerely

Helen Lancaster
Principal Solicitor

Helen Lancaster, Principal Solicitor, Legal Services
Directorate of Human Resources/Organisational
Development and People Services,
County Hall, Morpeth,
Northumberland, NE61 2EF

T: 01670 623323 E: Helen.Lancaster@northumberland.gov.uk
www.northumberland.gov.uk



Kathy Robson

From: George Hepburn
Sent: 08 April 2019 21:43
To: Helen Lancaster; Dale Anne
Subject: Re: Application to register village green at Mickley Sqyare

Dear Helen,

Could you please tell me if there has been any progress in your consideration of my application to register the green at Mickley Square, resubmitted to you on 7th January. I have copied ion Cllr Dale as she asked to be kept informed. Thank you.

Best wishes, George

tel: [REDACTED]

On Thu, 31 Jan 2019 at 10:09, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

Mr Hepburn,

Thank you for your e-mail.

I confirm that we have received your documentation which will now be considered further.

Many thanks,

Helen Lancaster
Principal Solicitor
Legal Services
Northumberland County Council
County Hall
Morpeth
NE61 2EF
Telephone: 01670 623323
Fax: 01670 626030
E-mail: Helen.Lancaster@northumberland.gov.uk
Website: <http://www.northumberland.gov.uk>

From: George Hepburn [mailto: [REDACTED]]
Sent: 30 January 2019 12:00
To: Helen Lancaster
Subject: Application to register village green at Mickley Sqyare

Dear Ms Lancaster,

Can I check that you receive my revised submission left at County Hall on 7th January as tomorrow is the deadline for the resubmission as per your letter of 8 November. Thank you.

Best wishes, George

tel: [REDACTED]



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County Council

www.northumberland.gov.uk

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Northumberland

County Council

George Hepburn OBE
Bewick Garth
Mickley Square
Stocksfield
NE43 7AU

Your Ref:
Our Ref: HL/012406
Enquiries to: Helen Lancaster
Email: Helen.Lancaster@northumberland.gov.uk
Tel direct: 01670 623323
Date: 10 April 2019

Dear Mr Hepburn,

Application for Village Green - Mickley Square

I write further to my e-mail to you of 10th April 2019 and return to you your application.

I confirm that this is because the relevant Regulations require that Form 44 is supported by a statutory declaration as set out in Form 44 made by yourself as the applicant.

Unfortunately, while you provided a sworn Form 44 when you originally submitted the application, it has not been re-sworn when you added the additional information.

I therefore look forward to receiving the Form 44 freshly sworn which will mean that all of it is supported by a statutory declaration. It may be that if you take this back to original solicitors who undertook the statutory declaration process they may be able to assist quickly.

I confirm that I have set aside some time during week commencing 22nd April to look at outstanding village green matters and therefore if you could return it to me in time for then I would hope to progress it then.

I appreciate that the requirement to be re-sworn may appear pedantic. However, the Registration Authority must be and appear to be impartial and I have no doubt that this is an issue which could be raised in an objection to the application at a subsequent Inquiry (should an Inquiry be necessary) if it is not rectified now.

I hope that this assists.

Helen Lancaster, Principal Solicitor, Legal Services
Directorate of Human Resources/Organisational
Development and People Services,
County Hall, Morpeth,
Northumberland, NE61 2EF

T: 01670 623323 E: Helen.Lancaster@northumberland.gov.uk
www.northumberland.gov.uk



Yours sincerely

Helen Lancaster
Principal Solicitor

Kathy Robson

From: George Hepburn
Sent: 12 April 2019 16:41
To: Helen Lancaster
Subject: Bewick Green

Thank you for your letter. I can get a statutory declaration executed but am away next week so will probably not be able to get it back to you till the middle of the following week.

Best wishes, George

tel: [REDACTED]



Northumberland

County Council

George Hepburn OBE
Bewick House
Bewick Garth
Mickley Square
Stocksfield
NE43 7AU

Your Ref:
Our Ref: HL/012406
Enquiries to: Helen Lancaster
Email: Helen.Lancaster@northumberland.gov.uk
Tel direct: 01670 623323
Date: 16 May 2019

Dear Mr Hepburn,

Application for Village Green - Mickley Square

I write further to previous correspondence and confirm that your aforementioned application has now been accepted as 'duly made' and has been allotted the reference number VG84.

The application will now proceed to the next stage, namely sending notices of the application to relevant persons and publicising of the application and I will be in touch further in this regard. At this stage I anticipate that this is likely to be after week commencing 3rd June 2019.

Yours sincerely

Helen Lancaster
Principal Solicitor

Helen Lancaster, Principal Solicitor, Legal Services
Directorate of Human Resources/Organisational
Development and People Services,
County Hall, Morpeth,
Northumberland, NE61 2EF

T: 01670 623323 E: Helen.Lancaster@northumberland.gov.uk
www.northumberland.gov.uk



Kathy Robson

From: George Hepburn
Sent: 13 July 2019 17:34
To: Helen Lancaster; Dale Anne
Subject: Mickley Village Green

Dear Ms Lancaster,

Cllr Dale was asking me about progress last week and I'm sorry to say that I must have mislaid your last letter which I think said that the case for registering the Green had been accepted and that you would be putting up notice for consultation?

Is that correct and when might this happen please?

Apologies again and would it be possible to email me the letter for my records?

Best wishes, George

tel: 

Kathy Robson

From: David Brookes
Sent: 08 August 2019 11:23
To: Kathy Robson
Cc: Mike Robbins; Andrea Todd; Helen Lancaster
Subject: Re: Bewick Green, Mickley Square, Stocksfield, Northumberland

Kathy

Thank you for the email and attachments.

I can confirm that the central portion of the application site forms the highway known as Bewick Garth (U8281) and is maintainable at public expense by the Highway Authority.

The Highway Authority wishes to object to the application. The present day alignment of the highway seems to have been in place since approximately 1980 and map evidence appears to indicate that there was an access road across the claimed route since 1921.

The Highway Authority objection is that this part of the application site is a public right of way for highway purposes for all types of traffic and questions whether its statutory registration as a village green is compatible with it being a highway.

Let me know when you will require further information.

Ragards

David

On Thu, 8 Aug 2019 at 07:08, Kathy Robson <Kathy.Robson@northumberland.gov.uk> wrote:

SENT ON BEHALF OF HELEN LANCASTER, PRINCIPAL SOLICITOR, LEGAL SERVICES

Mike, David,

The Council in its capacity of Commons Registration Authority has received an application under Section 15 of the Commons Act 2006 for inclusion in the Register of Town or Village Greens. I enclose Form 45 together with a copy of the plan provided by the applicant from which you will see that any representations must be received by the Commons Registration Authority on or before 3 October 2019.

If you wish to make representations/wish advice with regard to the application please contact Lynne Jackson who should be able to assist you further. Lynne is on annual leave but is back 12 August. If you require a copy of the application please contact Kathy Robson.

Many thanks,

Helen Lancaster
Principal Solicitor
Legal Services
Northumberland County Council
County Hall
Morpeth
NE61 2EF

Telephone: 01670 623323
Fax: 01670 626030
E-mail: Helen.Lancaster@northumberland.gov.uk
Website: <http://www.northumberland.gov.uk>

--

David Brookes
Infrastructure Records Manager
Technical Services
County Hall
Morpeth
Northumberland
NE612EF

Tel: 01670 624134
EMail: david.brookes@northumberland.gov.uk

Kathy Robson

From: Helen Lancaster <Helen.Lancaster@northumberland.gov.uk>
Sent: 11 September 2019 09:34
To: David Brookes
Subject: RE: Bewick Green, Mickley Square, Stocksfield, Northumberland

Hi David,

Thank you for your representation received while I was on annual leave.

The consultation period closes on 3rd October so if you have further information/representations I look forward to receiving it/them by then.

If you require further assistance with regard to any representations please contact Lynne Jackson.

Many thanks,

Helen Lancaster

Principal Solicitor

Legal Services

Northumberland County Council

County Hall

Morpeth

NE61 2EF

Telephone: 01670 623323

Fax: 01670 626030

E-mail: Helen.Lancaster@northumberland.gov.uk

Website: <http://www.northumberland.gov.uk>

From: David Brookes [mailto:david.brookes@northumberland.gov.uk]

Sent: 08 August 2019 11:23

To: Kathy Robson

Cc: Mike Robbins; Andrea Todd; Helen Lancaster

Subject: Re: Bewick Green, Mickley Square, Stocksfield, Northumberland

Kathy

Thank you for the email and attachments.

I can confirm that the central portion of the application site forms the highway known as Bewick Garth (U8281) and is maintainable at public expense by the Highway Authority.

The Highway Authority wishes to object to the application. The present day alignment of the highway seems to have been in place since approximately 1980 and map evidence appears to indicate that there was an access road across the claimed route since 1921.

The Highway Authority objection is that this part of the application site is a public right of way for highway purposes for all types of traffic and questions whether its statutory registration as a village green is compatible with it being a highway.

Let me know when you will require further information.

Ragards

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Legal Services
Northumberland County Council
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Telephone: 01670 623323
Fax: 01670 626030
E-mail: Helen.Lancaster@northumberland.gov.uk
Website: <http://www.northumberland.gov.uk>

--

David Brookes
Infrastructure Records Manager
Technical Services
County Hall
Morpeth
Northumberland
NE612EF
Tel: 01670 624134
EMail: david.brookes@northumberland.gov.uk

Kathy Robson

From: George Hepburn <[REDACTED]> on behalf of George Hepburn
Sent: 27 October 2019 21:03
To: Helen Lancaster; Dale Anne
Subject: Registration of Green at Mickley Square
Attachments: Letter to helen Lancaster Oct 19.doc

Dear Mrs Lancaster,

Thank you for your letter of 24th October and I attach my reply. Please let me know if you require a signed paper copy.

Could you also give me an idea of the time and procedure from here please hoping that we can bring this to a conclusion soon.

Best wishes, George

tel: [REDACTED]

Bewick House, Bewick Garth, Mickley Square, Northumberland NE 43 7AU

28th October 2019

Helen Lancaster,
Principal Solicitor,
Legal Services,
Northumberland County Council,
County Hall,
Morpeth,
NE61 2EF

Dear Mrs Lancaster,

Application for Village Green – Mickley Square

Thank you for your letter of 24th October 2019 (ref HL/012406) informing me, as applicant for the registration of the village green at Mickley Square, of a representation from the Highway Authority and providing me the opportunity for dealing with the matters contained.

I contend that the existence of a public road across the Green is not a reason to refuse the application and that the Highway Authority objection is not valid.

In making the case for the Green to be registered under the Commons Act 2006, I am required to show, at Section 15 (3), that

- (a) a significant number of inhabitants
- (b) of any locality or neighbourhood within a locality
- (c) have indulged as of right
- (d) in lawful sports and pastimes
- (e) on the land
- (f) for a period of at least 20 years
- (g) and continue to do so at the date of the application

In commenting of the definition “on the land”, John Riddall in ‘Getting Greens Registered’ (Open Space Society, third edition, 2017) states that:

The 2006 Act makes no reference to highway land. There is nothing to stop all or part of a highway being regarded as a town or village green if the circumstances justify this. Areas of open land alongside minor roads frequently do have a long-standing pattern of local recreational use, as opposed to one of mere passage from A to B. Many have already been successfully registered under the 1965 Act.

Registration arguably has no effect on the highway status of the land. Equally, the ‘public’ status of a highway does not nullify a claim that all or part of it is a green, so long as it is clear that the recreational use (as opposed to a mere passage along the highway) which takes place there is primarily or exclusively by local people.

In support of this assertion Riddall cites: the Commons Commissioner decisions in re Medstead Village Green, Hampshire (1979) 214/D/113 and in re The Green, Hargrave, Suffolk (1979) 234/D/79. 77 R (Whitmey) v Commons Commissioners [2004] EWCA Civ 951; [2005] QB 282 78 McLaren v Kubiak [2007] EWHC 1065 (Ch),

I therefore conclude that the fact that the highway known as Bewick Garth (U8281) crosses the proposed Green is not a valid reason for it not to be registered.

The registration does not in any way prevent the Highway Authority from maintaining the road or affect the rights of the public to use the road. Neither does it relieve the Highway Authority of the responsibility of maintaining it. In short, the registration does not alter the situation with respect to the highway in any way.

The representation from the Highway Authority, as far as I can see from the advice of Open Space Society, does not prevent the Village Green at Mickley Square from being registered.

Yours sincerely,

George Hepburn OBE

Kathy Robson

From: George Hepburn <[REDACTED]> on behalf of George Hepburn
Sent: 28 October 2019 12:50
To: Helen Lancaster
Subject: Re: Registration of Green at Mickley Square

Thank you. I will post a signed copy today.

Will I be invited to be represented at the Commons Registration Meeting?

Best wishes, George

tel: [REDACTED]

On Mon, 28 Oct 2019 at 10:17, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

Mr Hepburn,

Thank you for your e-mail and I note the contents. Could I ask for a signed copy just for the sake of completeness?

The next stage in the process is that the council in its capacity of Commons Registration Authority (CRA) must proceed to determine the application.

In order to do so it may be necessary to instruct Counsel with a view to requesting Counsel to consider the matter and make a recommendation to the CRA as to whether the land in question should be added to the Register of Village Greens. We will now therefore progress this aspect and, if necessary, request authority within the Council's Scheme of Delegations in order to do so.

We have a couple of outstanding village green matters ongoing at present but I would anticipate that I should be able to get back to you with regard to whether the CRA has authority to instruct Counsel by the end of November.

I hope that this assists.

Many thanks,

Helen Lancaster
Principal Solicitor
Legal Services
Northumberland County Council
County Hall
Morpeth

Northumberland
NE61 2EF

Telephone: 01670 623323

Fax: 01670 626030

E-mail: Helen.Lancaster@northumberland.gov.uk

Website: <http://www.northumberland.gov.uk>

From: George Hepburn [mailto: [REDACTED]]
Sent: 27 October 2019 21:03
To: Helen Lancaster; Dale Anne
Subject: Registration of Green at Mickley Square

Dear Mrs Lancaster,

Thank you for your letter of 24th October and I attach my reply. Please let me know if you require a signed paper copy.

Could you also give me an idea of the time and procedure from here please hoping that we can bring this to a conclusion soon.

Best wishes, George

tel: [REDACTED]



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Kathy Robson

From: George Hepburn <[REDACTED]> on behalf of George Hepburn
Sent: 18 December 2019 16:53
To: Helen Lancaster; Charles Morgan
Subject: Re: FW: Registration of Green at Mickley Square

Thank you Mrs Lancaster and will wait to hear from you further.

Best wishes, George

tel: [REDACTED]

On Wed, 18 Dec 2019 at 15:51, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

Dear Mr Hepburn,

I write to keep you updated with regard to this matter and confirm that we are now awaiting quotations from external Counsel as to their costs to undertake the further work with regard to determination of your application as detailed below.

I would hope to hear from them shortly and should therefore be able to confirm who is to be instructed shortly into the New Year.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: Helen Lancaster [mailto:helen.lancaster@northumberland.gov.uk]
Sent: 29 October 2019 17:54
To: George Hepburn
Subject: RE: Registration of Green at Mickley Square

Mr Hepburn,

Thank you for your e-mail of yesterday.

I confirm that if a Hearing is directed in this case then all parties would usually have the opportunity to attend that hearing and give evidence should they wish to do so.

These are issues which we would instruct Counsel to consider and I will of course keep you informed as below.

Many thanks,

Helen Lancaster
Principal Solicitor
Legal Services
Northumberland County Council
County Hall
Morpeth

Northumberland
NE61 2EF

Telephone: 01670 623323
Fax: 01670 626030
E-mail: Helen.Lancaster@northumberland.gov.uk
Website: <http://www.northumberland.gov.uk>

From: George Hepburn [mailto: [REDACTED]]
Sent: 28 October 2019 12:50
To: Helen Lancaster
Subject: Re: Registration of Green at Mickley Square

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Best wishes, George

tel: [REDACTED]

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Mr Hepburn,

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The next stage in the process is that the council in its capacity of Commons Registration Authority (CRA) must proceed to determine the application.

In order to do so it may be necessary to instruct Counsel with a view to requesting Counsel to consider the matter and make a recommendation to the CRA as to whether the land in question should be added to the Register of Village Greens. We will now therefore progress this aspect and, if necessary, request authority within the Council's Scheme of Delegations in order to do so.

We have a couple of outstanding village green matters ongoing at present but I would anticipate that I should be able to get back to you with regard to whether the CRA has authority to instruct Counsel by the end of November.


I hope that this assists.

Many thanks,

Helen Lancaster
Principal Solicitor
Legal Services
Northumberland County Council
County Hall
Morpeth

Northumberland
NE61 2EF

Telephone: 01670 623323
Fax: 01670 626030
E-mail: Helen.Lancaster@northumberland.gov.uk
Website: <http://www.northumberland.gov.uk>

From: George Hepburn [mailto: 
Sent: 27 October 2019 21:03
To: Helen Lancaster; Dale Anne
Subject: Registration of Green at Mickley Square

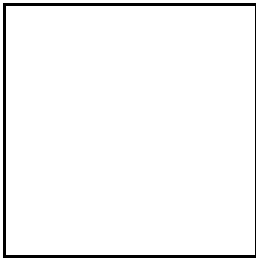
Dear Mrs Lancaster,

Thank you for your letter of 24th October and I attach my reply. Please let me know if you require a signed paper copy.

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Best wishes, George

tel: [REDACTED]



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Please, consider your environmental responsibility. Before printing this e-mail ask yourself: "Do I need a hard copy?"

Kathy Robson

From: George Hepburn <[REDACTED]>
Sent: 21 April 2020 12:34
To: Helen Lancaster
Subject: Re: FW: Registration of Green at Mickley Square

Dear Mrs Lancaster,

I realise these are extraordinary times but am just catching up on all sorts of fronts this morning and so wondered if there was any progress in relation to registering the green at Mickley Square.

Best wishes, George

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I confirm that we have now received some quotations from Counsel and I am now proceeding to request authorisation to instruct.

I would hope that this can be done fairly quickly and I will therefore be in touch shortly.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: George Hepburn [mailto:[REDACTED]]
Sent: 29 January 2020 10:30

To: Helen Lancaster; Charles Morgan; Dale Anne
Subject: Re: FW: Registration of Green at Mickley Square

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Sent: 29 October 2019 17:54

To: George Hepburn

Subject: RE: Registration of Green at Mickley Square

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Telephone: 01670 623323
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E-mail: Helen.Lancaster@northumberland.gov.uk
Website: <http://www.northumberland.gov.uk>

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E-mail: Helen.Lancaster@northumberland.gov.uk

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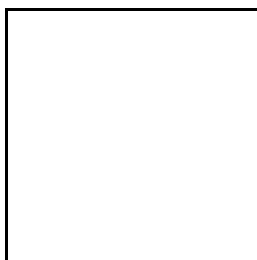
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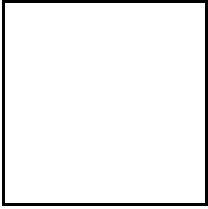


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Kathy Robson

From: George Hepburn <[REDACTED]> on behalf of George Hepburn
Sent: 22 May 2020 11:51
To: Helen Lancaster
Subject: Re: FW: Registration of Green at Mickley Square

Dear Mrs Lancaster,

Thank you for letting me know. I may wish to appoint counsel too.
Best wishes, George

tel: [REDACTED]

On Fri, 22 May 2020 at 11:48, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

Dear Mr Hepburn,

I write to provide an update with regard to this matter.

I confirm that we now have authority to instruct Counsel to prepare a report making a recommendation with regard to this matter and formal instructions can now therefore be sent to him. I confirm that we will now therefore prepare form Instructions and I will let you know once I have heard further.

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From: Helen Lancaster [mailto:helen.lancaster@northumberland.gov.uk]
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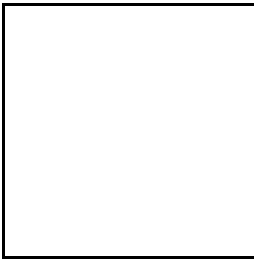
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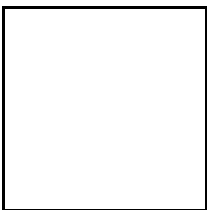


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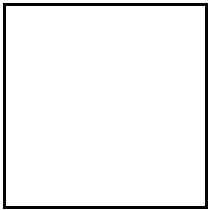


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Kathy Robson

From: George Hepburn <[REDACTED]>
Sent: 26 May 2020 15:01
To: Helen Lancaster; Dale Anne
Subject: Re: FW: Registration of Green at Mickley Square

Dear Mrs Lancaster,

On talking this over, can I clarify which process you are proposing? Will your counsel hold an enquiry at which to receive evidence and then write a report or will he/she write a report on the basis on the information you have submitted. I would prefer the former as being more open and providing the opportunity to ask questions.

I am sorry this process is so protracted and also likely to incur so much cost.

Best wishes, George

tel: [REDACTED]

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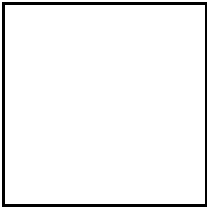


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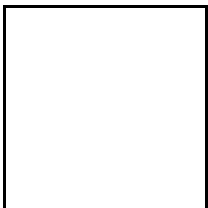


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Kathy Robson

From: George Hepburn <[REDACTED]>
Sent: 17 September 2020 08:54
To: Helen Lancaster; Anne Dale
Subject: Re: FW: FW: Registration of Green at Mickley Square

Dear Mrs Lancaster,

I hope you had a good holiday and am emailing as you suggested as I have not heard anything more and look forward to an update. My barrister friend may wish to be involved to make the case for me.

Best wishes, George

tel: [REDACTED]

On Thu, 13 Aug 2020 at 19:41, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

Dear Mr Hepburn,

I am just writing with an update prior to my annual leave.

I confirm that Counsel has the papers with regard to this matter and I would hope to hear from him shortly.

I return from annual leave on 2nd September and so you may wish to contact me if you have not heard from me further by the end of that week.

Many thanks,

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I confirm that the point you have raised is one which Counsel is being asked to advise upon and I can let him know your thoughts.

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Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: George Hepburn [mailto: [REDACTED]]
Sent: 26 May 2020 15:01
To: Helen Lancaster; Dale Anne
Subject: Re: FW: Registration of Green at Mickley Square

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Sent: 23 April 2020 12:55

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Telephone: 01670 623323

Fax: 01670 626030

E-mail: Helen.Lancaster@northumberland.gov.uk

Website: <http://www.northumberland.gov.uk>

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I hope that this assists.

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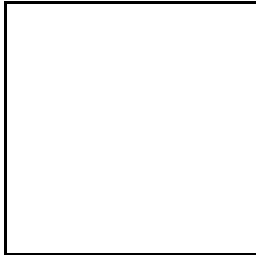
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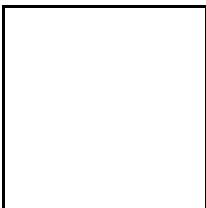


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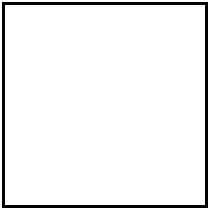


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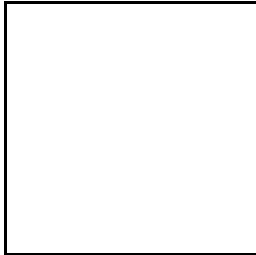
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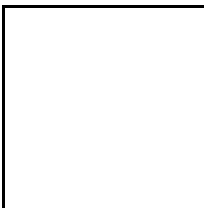


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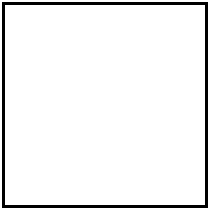


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Many thanks,

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Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: Helen Lancaster [mailto:helen.lancaster@northumberland.gov.uk]

Sent: 23 April 2020 12:55

To: 'George Hepburn'

Subject: RE: FW: Registration of Green at Mickley Square

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Telephone: 01670 623323

Fax: 01670 626030

E-mail: Helen.Lancaster@northumberland.gov.uk

Website: <http://www.northumberland.gov.uk>

From: George Hepburn [mailto: [REDACTED]]
Sent: 28 October 2019 12:50
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I hope that this assists.

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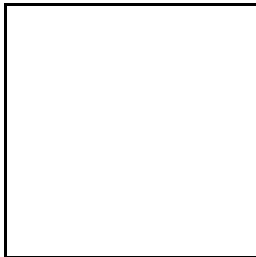
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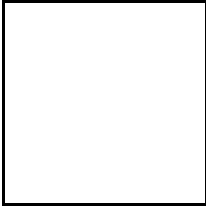


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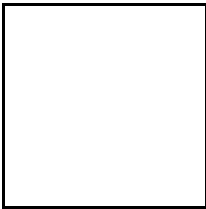


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Kathy Robson

From: George Hepburn <[REDACTED]>
Sent: 20 October 2020 10:05
To: Helen Lancaster
Cc: Anne Dale
Subject: Re: FW: FW: Registration of Green at Mickley Square

Thank you Mrs Lancaster. If you are speaking to your Counsel can I remind you that in an earlier email, I said I was considering appointing Counsel to represent my neighbours and myself.

But I would much rather for the sake of time and money that this could be settled informally. As far as I am aware, the only objection is from Highways and the precedents do not support the Highways position?

Best wishes, George

tel: [REDACTED]

On Tue, 20 Oct 2020 at 09:53, Helen Lancaster <Helen.Lancaster@northumberland.gov.uk> wrote:

Good morning Mr Hepburn,

Thank you for your e-mail.

I confirm that we have now heard from Counsel and I am due to speak to him tomorrow in further detail. Counsel has indicated that he will shortly issue some directions as to what is to happen next with regard to this matter so I anticipate that you should hear from me further by the end of this week or if not, week commencing 2nd November as I am on annual leave next week.

Many thanks,

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From: George Hepburn <[REDACTED]>
Sent: 20 October 2020 09:33
To: Helen Lancaster <Helen.Lancaster@northumberland.gov.uk>; Anne Dale <Anne.Dale@northumberland.gov.uk>
Subject: Re: FW: FW: Registration of Green at Mickley Square

Dear Mrs Lancaster,

You suggested I got back to you on or around 9th September which has slipped in my mind but could I now ask about progress please. I note this email trail will celebrate its first anniversary next week!

Best wishes, George

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Sent: 17 June 2020 11:28

To: 'George Hepburn'

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I confirm that the point you have raised is one which Counsel is being asked to advise upon and I can let him know your thoughts.

I will contact you once I have heard further.

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From: George Hepburn [mailto:████████████████████]
Sent: 26 May 2020 15:01
To: Helen Lancaster; Dale Anne
Subject: Re: FW: Registration of Green at Mickley Square

Dear Mrs Lancaster,

On talking this over, can I clarify which process you are proposing? Will your counsel hold an enquiry at which to receive evidence and then write a report or will he/she write a report on the basis on the information you have submitted. I would prefer the former as being more open and providing the opportunity to ask questions.

I am sorry this process is so protracted and also likely to incur so much cost.

Best wishes, George

tel: [REDACTED]

On Fri, 22 May 2020 at 11:48, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

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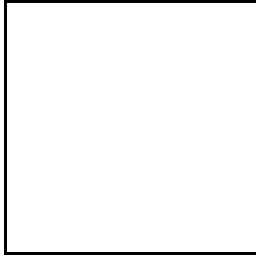
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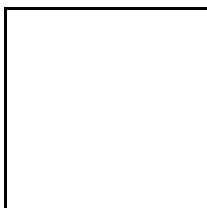


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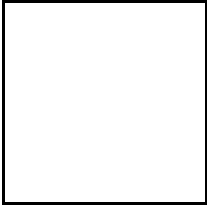
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CONTROL
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SAVE LIVES**

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STAY ALERT
TO STAY SAFE**

- Keep a safe distance from others
- Stay home as much as possible
- Keep washing your hands regularly

UK Government

NHS

Northumberland
County Council

Kathy Robson

From: George Hepburn <[REDACTED]>
Sent: 09 November 2020 18:37
To: Helen Lancaster
Cc: Anne Dale
Subject: Re: FW: FW: Registration of Green at Mickley Square

Dear Mrs Lancaster,

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Subject: Re: FW: Registration of Green at Mickley Square

Dear Mrs Lancaster,

On talking this over, can I clarify which process you are proposing? Will your counsel hold an enquiry at which to receive evidence and then write a report or will he/she write a report on the basis on the information you have submitted. I would prefer the former as being more open and providing the opportunity to ask questions.

I am sorry this process is so protracted and also likely to incur so much cost.

Best wishes, George

tel: [REDACTED]

On Fri, 22 May 2020 at 11:48, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

Dear Mr Hepburn,

I write to provide an update with regard to this matter.

I confirm that we now have authority to instruct Counsel to prepare a report making a recommendation with regard to this matter and formal instructions can now therefore be sent to him. I confirm that we will now therefore prepare form Instructions and I will let you know once I have heard further.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: Helen Lancaster [mailto:helen.lancaster@northumberland.gov.uk]
Sent: 23 April 2020 12:55
To: 'George Hepburn'
Subject: RE: FW: Registration of Green at Mickley Square

Dear Mr Hepburn,

Thank you for your e-mail.

These are indeed extraordinary times but I am hoping to take a look at this next week and you should therefore hear from me further shortly.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: George Hepburn [mailto: [REDACTED]]
Sent: 21 April 2020 12:34
To: Helen Lancaster
Subject: Re: FW: Registration of Green at Mickley Square

Dear Mrs Lancaster,

I realise these are extraordinary times but am just catching up on all sorts of fronts this morning and so wondered if there was any progress in relation to registering the green at Mickley Square.

Best wishes, George

tel: [REDACTED]

On Wed, 29 Jan 2020 at 17:23, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

Mr Hepburn,

Thank you for your e-mail.

I confirm that we have now received some quotations from Counsel and I am now proceeding to request authorisation to instruct.

I would hope that this can be done fairly quickly and I will therefore be in touch shortly.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: George Hepburn [mailto: [REDACTED]]
Sent: 29 January 2020 10:30
To: Helen Lancaster; Charles Morgan; Dale Anne
Subject: Re: FW: Registration of Green at Mickley Square

Dear Mrs Lancaster,

CLr Dale asked me about the Green this morning which prompts me to enquire if you have made any further progress?

On Wed, 18 Dec 2019, 16:53 George Hepburn, < [REDACTED] > wrote:

Thank you Mrs Lancaster and will wait to hear from you further.

Best wishes, George

tel: [REDACTED]

On Wed, 18 Dec 2019 at 15:51, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

Dear Mr Hepburn,

I write to keep you updated with regard to this matter and confirm that we are now awaiting quotations from external Counsel as to their costs to undertake the further work with regard to determination of your application as detailed below.

I would hope to hear from them shortly and should therefore be able to confirm who is to be instructed shortly into the New Year.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: Helen Lancaster [mailto:helen.lancaster@northumberland.gov.uk]
Sent: 29 October 2019 17:54
To: George Hepburn
Subject: RE: Registration of Green at Mickley Square

Mr Hepburn,

Thank you for your e-mail of yesterday.

I confirm that if a Hearing is directed in this case then all parties would usually have the opportunity to attend that hearing and give evidence should they wish to do so.


These are issues which we would instruct Counsel to consider and I will of course keep you informed as below.

Many thanks,

Helen Lancaster
Principal Solicitor
Legal Services
Northumberland County Council
County Hall
Morpeth

Northumberland
NE61 2EF

Telephone: 01670 623323
Fax: 01670 626030
E-mail: Helen.Lancaster@northumberland.gov.uk
Website: <http://www.northumberland.gov.uk>

From: George Hepburn [mailto: 
Sent: 28 October 2019 12:50
To: Helen Lancaster
Subject: Re: Registration of Green at Mickley Square

Thank you. I will post a signed copy today.

Will I be invited to be represented at the Commons Registration Meeting?

Best wishes, George

tel: [REDACTED]

On Mon, 28 Oct 2019 at 10:17, Helen Lancaster <helen.lancaster@northumberland.gov.uk> wrote:

Mr Hepburn,

Thank you for your e-mail and I note the contents. Could I ask for a signed copy just for the sake of completeness?

The next stage in the process is that the council in its capacity of Commons Registration Authority (CRA) must proceed to determine the application.

In order to do so it may be necessary to instruct Counsel with a view to requesting Counsel to consider the matter and make a recommendation to the CRA as to whether the land in question should be added to the Register of Village Greens. We will now therefore progress this aspect and, if necessary, request authority within the Council's Scheme of Delegations in order to do so.

We have a couple of outstanding village green matters ongoing at present but I would anticipate that I should be able to get back to you with regard to whether the CRA has authority to instruct Counsel by the end of November.

I hope that this assists.

Many thanks,

Helen Lancaster
Principal Solicitor
Legal Services
Northumberland County Council
County Hall
Morpeth

Northumberland
NE61 2EF

Telephone: 01670 623323
Fax: 01670 626030
E-mail: Helen.Lancaster@northumberland.gov.uk
Website: <http://www.northumberland.gov.uk>

From: George Hepburn [mailto: [REDACTED]]
Sent: 27 October 2019 21:03
To: Helen Lancaster; Dale Anne
Subject: Registration of Green at Mickley Square

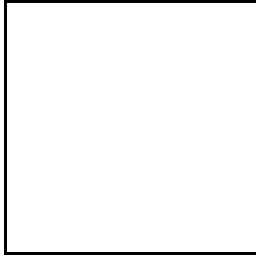
Dear Mrs Lancaster,

Thank you for your letter of 24th October and I attach my reply. Please let me know if you require a signed paper copy.

Could you also give me an idea of the time and procedure from here please hoping that we can bring this to a conclusion soon.

Best wishes, George

tel: [REDACTED]

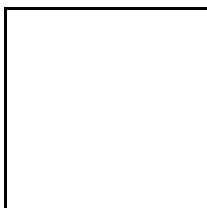


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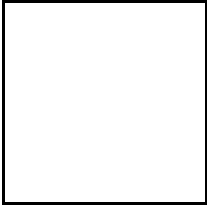
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Kathy Robson

From: Helen Lancaster
Sent: 10 November 2020 18:56
To: George Hepburn
Subject: FW: Application for village green - land at Mickley Square, Stocksfield, Northumberland
Attachments: Inspector's Directions BEWICK GREEN (final).docx

Dear Mr Hepburn,

Further to previous correspondence I now enclose some Directions prepared by Counsel, James Marwick with regard to how the application should proceed from this point. The Directions have also been forwarded to the Highway Authority.

In accordance with the Directions I therefore look forward to hearing from you with your availability for a pre-inquiry hearing between 1st December and 18th December 2020 by 17th November 2020.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

**IN THE MATTER OF AN APPLICATION TO REGISTER LAND AT BEWICK
GREEN IN MICKLEY SQUARE AS A TOWN OR VILLAGE GREEN**

AND IN THE MATTER OF THE COMMONS ACT 2006 (AS AMENDED)

DIRECTIONS

1. I am instructed by Northumberland County Council in its capacity as the relevant registration authority to act as an independent inspector and to conduct a Public Inquiry for the purposes of consideration of the above application for registration of land as a town or village green. The below Directions provide for the procedure and preparatory steps to be adopted in respect of the Inquiry.

- (1) The present time estimate for the Inquiry is 1 day. It is intended that the Inquiry be conducted remotely subject to any submissions from the parties as to the non-suitability of this Inquiry to be heard remotely (by Zoom or MS Teams).
- (2) There will be a pre-inquiry hearing (to be conducted remotely) on the first suitable date on or after 1st December 2020. The purpose of the pre-inquiry hearing will be to address *among others* the procedure for the Inquiry and the mechanics of a remote Inquiry. It will allow the opportunity for any queries to be raised by the Applicant as I am conscious he is not legally represented.
 - i. The Parties shall provide their availability for a pre-inquiry hearing (time estimate 1 hour) between 1st December and 18th December 2020. They should do so by no later than 17th November 2020.
 - ii. The Parties shall provide the Registration Authority with an email address of the representative who will attend the Pre-Inquiry Hearing on their behalf by no later than 7 days before the hearing. An email invitation will be sent by return which will allow attendance at the hearing regardless of the software on the device. In default of all parties having access to a camera-enabled device, the hearing will proceed without video.

(3) The Inquiry itself will be listed on a suitable date in a window between 18th January 2021 and 31st March 2020. The following directions shall apply in relation to the Inquiry.

- i. Each party is entitled to call oral evidence from no more than 4 witnesses for the purposes of the Inquiry.
- ii. No later than 14 days before the date of the Inquiry, the parties shall each provide to the Registration Authority three copies of a bundle of documents containing:-

1. A list of witnesses whom they intend to call to give oral evidence.
2. A bundle containing (i) any signed and dated witness statements, letters, questionnaires or proofs of evidence of every witness the Party intends to call, containing the substance of their evidence (for the avoidance of doubt this can be the existing evidence already served and/or updated evidence on behalf of a witness); (ii) all other witness statements (if any), evidence questionnaires, statutory declarations and affidavits upon which the Party wishes to rely; and, (iii) any other documents (including maps and photographs) which are relied upon.
3. If desired, an outline of their case together with any skeleton argument or legal submissions and copies of any legal authorities which are to be relied upon.

iii. Thereafter the Registration Authority will circulate copies of the respective bundles to the parties as soon as possible together with an Inquiry bundle which shall contain the following:-

1. Copies of the Application, the Objection and all letters of support to the application or letters of objection sent to the Registration Authority.
2. Copies of all correspondence between the Registration Authority, the Applicant and the Objector.

3. A plan and statement as to the extent and nature of any public right of way or ways passing over or in the vicinity of the application land (including a copy of any relevant definitive map and statement)
- iv. The parties shall provide the Registration Authority with dates of availability for a one day inquiry in the above window by no later than 27th November 2020. It is envisaged that witnesses will give evidence remotely and subject to a time-table to be agreed at the pre-inquiry hearing to minimise disruption.
- v. The Registration Authority will publicise the Inquiry by placing an advertisement in a local newspaper circulating in the area of the land subject to the application and by posting notices at the main points of entry to the town or village green (or, if there are no such places, in a conspicuous place at the site), as well as on its website, not later than 14 days before the date of the Inquiry. If the Inquiry is to proceed remotely (as will be determined at the pre-inquiry hearing), the advertisements will invite members of the public who wish to participate or attend the Inquiry to provide an email address by way of registration in order that they can be provided with an online link enabling them to join the Inquiry remotely. Any interested person shall be entitled, on reasonable notice and in Registration Authority business hours, to inspect the inquiry bundle held by the Registration Authority up until the conclusion of the Inquiry.
- vi. The sitting hours are subject to any direction by the Inspector during the course of the Inquiry, but will generally be from 9.30am to 11.30am, 12.30pm to 2.30pm, and 3pm to 5pm. The Inquiry will usually be conducted in the following order:-
 - Opening Remarks by the Inspector.
 - Any Opening statement by the Applicant.
 - The evidence of the Applicant's witnesses (including cross-examination and re-examination).
 - Any opening statement by the Objector.

The evidence of the Objector's witnesses (including cross-examination and re-examination).

Evidence and submissions by members of the public, at the discretion of the Inspector.

Any closing submissions by the Parties.

Any closing observations by the Inspector.

- vii. Witnesses and/or submissions may be heard out of order at the discretion of the Inspector and evidence will be given unsworn. If the matter proceeds remotely it will be likely that written closing statements will be directed to be provided within 7 days of completion of oral evidence at the Inquiry. The Inspector will hold an unaccompanied site visit to the application site and the parties can assume that such a site visit will have been undertaken by the time of the Pre-Inquiry Hearing.

- (4) The Applicants or the Objector may make a written application to the Inspector through the Registration Authority to vary or supplement these directions at any time before the Inquiry commences. The Inspector may supplement or vary these directions at any time prior to the commencement of the Inquiry, with or without such an application.
- (5) The Inspector will provide the Registration Authority with a report and recommendation to assist the Registration Authority in deciding whether or not to grant the application.
- (6) With these directions, the Registration Authority will provide its relevant contact details relating to any matter set out above, including an address for services of documents and an email address for ongoing correspondence.

JAMES MARWICK
Trinity Chambers
10th NOVEMBER 2020

Kathy Robson

From: George Hepburn <[REDACTED]>
Sent: 11 November 2020 10:57
To: Helen Lancaster
Subject: Re: FW: Application for village green - land at Mickley Square, Stocksfield, Northumberland

Dear Mrs Lancaster,

Thank you for forwarding the Inspectors's direction and I will reply with availability in due course.

But could I clarify one point please?

Do I have to make the case from scratch all over again for registration as I think you have already accepted the case has been made.

Or does the inquiry just concern the objection from the Highway Authority.

Best wishes, George

tel: [REDACTED]

On Tue, 10 Nov 2020 at 18:55, Helen Lancaster <Helen.Lancaster@northumberland.gov.uk> wrote:

Dear Mr Hepburn,

Further to previous correspondence I now enclose some Directions prepared by Counsel, James Marwick with regard to how the application should proceed from this point. The Directions have also been forwarded to the Highway Authority.

In accordance with the Directions I therefore look forward to hearing from you with your availability for a pre-inquiry hearing between 1st December and 18th December 2020 by 17th November 2020.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

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Kathy Robson

From: George Hepburn <[REDACTED]>
Sent: 16 November 2020 09:23
To: Helen Lancaster
Subject: Re: FW: Application for village green - land at Mickley Square, Stocksfield, Northumberland

Dear Mrs Lancaster,

I am available for a pre meeting with the Inspector between 1 Dec and 17th Dec except for the following dates:

2nd Dec
4th Dec
8th Dec after 3pm
9th Dec
16th Dec before 12 noon
17th Dec before 12 noon

I hope this gives enough options for all concerned and could move appointments arounds on most of the above dates if needs be.

I look forward to hearing from you.

Best wishes, George

tel: [REDACTED]

On Tue, 10 Nov 2020 at 18:55, Helen Lancaster <Helen.Lancaster@northumberland.gov.uk> wrote:

Dear Mr Hepburn,

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Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

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Helen.lancaster@northumberland.gov.uk

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Kathy Robson

From: Helen Lancaster
Sent: 16 November 2020 10:56
To: 'George Hepburn'
Subject: RE: FW: Application for village green - land at Mickley Square, Stocksfield, Northumberland

Mr Hepburn,

Thank you for your e-mail enclosing your availability; I confirm that I have forwarded this to Counsel's Clerk and so you should receive a date for the pre meeting once Counsel has confirmed his availability.

In response to the point raised in your previous e-mail namely whether you

"have to make the case from scratch all over again for registration as I think you have already accepted the case has been made.

Or does the inquiry just concern the objection from the Highway"

I confirm that all of the information you have submitted so far (and any additional information you submit between now and the final hearing) will be considered by the Inspector when he makes his final recommendation with regard to your application.

No decision has been made with regard to your application as yet other than it should proceed to an Inquiry. The Inquiry will consider whether the statutory grounds for registration have been made out and within that will also consider the objection from Highways (together with any additional information that they may submit).

I hope that this assists; I will be in touch shortly with a date for the pre hearing meeting.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: George Hepburn <[REDACTED]>
Sent: 16 November 2020 09:23
To: Helen Lancaster <Helen.Lancaster@northumberland.gov.uk>
Subject: Re: FW: Application for village green - land at Mickley Square, Stocksfield, Northumberland

Dear Mrs Lancaster,

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17th Dec before 12 noon

I hope this gives enough options for all concerned and could move appointments arounds on most of the above dates if needs be.

I look forward to hearing from you.

Best wishes, George

tel: [REDACTED]

On Tue, 10 Nov 2020 at 18:55, Helen Lancaster <Helen.Lancaster@northumberland.gov.uk> wrote:

Dear Mr Hepburn,

Further to previous correspondence I now enclose some Directions prepared by Counsel, James Marwick with regard to how the application should proceed from this point. The Directions have also been forwarded to the Highway Authority.

In accordance with the Directions I therefore look forward to hearing from you with your availability for a pre-inquiry hearing between 1st December and 18th December 2020 by 17th November 2020.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

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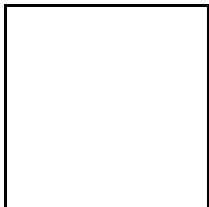
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Kathy Robson

From: Helen Lancaster
Sent: 16 November 2020 14:18
To: David Brookes
Subject: RE: Application for village green - land at Mickley Square, Stocksfield, Northumberland

Hi David,

I now enclose a link to a pre-inquiry meeting which Counsel has suggested takes place at 11:00am on 8 December 2020.

“Please see the below details for a Zoom meeting at 11am on the 8 December for you to pass to the participants.

Trinity Chambers is inviting you to a scheduled Zoom meeting.

Topic: Mickley Square Village Green

Time: Dec 8, 2020 11:00 AM London

Join Zoom Meeting

<https://zoom.us/j/97485240887?pwd=NmcYTGpTHV3WjNpYkFIOGpvV0FQZz09>

Meeting ID: 974 8524 0887

Passcode: JMarwick”

Please let me know if the time/date is no good for you.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: David Brookes <David.Brookes@northumberland.gov.uk>
Sent: 13 November 2020 08:35
To: Helen Lancaster <Helen.Lancaster@northumberland.gov.uk>
Subject: Re: Application for village green - land at Mickley Square, Stocksfield, Northumberland

Helen

I should be available on any Wed/Thurs/Fri on those dates - I do not normally work Mon-Tues but can be flexible if required.

Cheers

David

From: Helen Lancaster <Helen.Lancaster@northumberland.gov.uk>

Sent: Tuesday, November 10, 2020 7:00 PM

To: David Brookes <David.Brookes@northumberland.gov.uk>

Subject: FW: Application for village green - land at Mickley Square, Stocksfield, Northumberland

David,

You may recall some time ago that I e-mailed you to notify you an application for village green status in relation to land at Mickley Square Stocksfield to which you submitted an objection.

I now enclose some Directions prepared by Counsel, James Marwick with regard to how the application should proceed from this point. The Directions have also been forwarded to the applicant.

In accordance with the Directions I therefore look forward to hearing from you with your availability for a pre-inquiry hearing between 1st December and 18th December 2020 by 17th November 2020 (should you wish to attend). As stated previously, should you require assistance from Legal Services with regard to the proposed Inquiry please contact Lynne Jackson.

Many thanks,

Helen Lancaster
Principal Solicitor (Corporate and Governance Team)
Northumberland County Council
County Hall, Morpeth,
Northumberland
NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

Kathy Robson

From: George Hepburn <[REDACTED]>
Sent: 16 November 2020 14:19
To: Helen Lancaster
Subject: Re: FW: Application for village green - land at Mickley Square, Stocksfield, Northumberland

Thank you, thats great and confirm the time is good for me.

Could you let me know in due course, who else will be attending please.
Best wishes, George

tel: [REDACTED]

On Mon, 16 Nov 2020 at 14:07, Helen Lancaster <Helen.Lancaster@northumberland.gov.uk> wrote:

Mr Hepburn,

Further to my e-mail below I have now received details of the time, date and joining instructions for the pre hearing meeting with Counsel:

“Please see the below details for a Zoom meeting at 11am on the 8 December for you to pass to the participants.

Trinity Chambers is inviting you to a scheduled Zoom meeting.

Topic: Mickley Square Village Green

Time: Dec 8, 2020 11:00 AM London

Join Zoom Meeting

<https://zoom.us/j/97485240887?pwd=NmcyTGNoTHV3WjNpYkFIQWpVQkZzOj09>

Meeting ID: 974 8524 0887

Passcode: JMarwick”

Of course, please let me know if this time/date is no good for you.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: Helen Lancaster

Sent: 16 November 2020 10:56

To: 'George Hepburn' <[REDACTED]>

Subject: RE: FW: Application for village green - land at Mickley Square, Stocksfield, Northumberland

Mr Hepburn,

Thank you for your e-mail enclosing your availability; I confirm that I have forwarded this to Counsel's Clerk and so you should receive a date for the pre meeting once Counsel has confirmed his availability.

In response to the point raised in your previous e-mail namely whether you

"have to make the case from scratch all over again for registration as I think you have already accepted the case has been made.

Or does the inquiry just concern the objection from the Highway"

I confirm that all of the information you have submitted so far (and any additional information you submit between now and the final hearing) will be considered by the Inspector when he makes his final recommendation with regard to your application.

No decision has been made with regard to your application as yet other than it should proceed to an Inquiry. The Inquiry will consider whether the statutory grounds for registration have been made out and within that will also consider the objection from Highways (together with any additional information that they may submit).

I hope that this assists; I will be in touch shortly with a date for the pre hearing meeting.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: George Hepburn <[REDACTED]>
Sent: 16 November 2020 09:23
To: Helen Lancaster <Helen.Lancaster@northumberland.gov.uk>
Subject: Re: FW: Application for village green - land at Mickley Square, Stocksfield, Northumberland

Dear Mrs Lancaster,

I am available for a pre meeting with the Inspector between 1 Dec and 17th Dec except for the following dates:

2nd Dec

4th Dec

8th Dec after 3pm

9th Dec

16th Dec before 12 noon

17th Dec before 12 noon

I hope this gives enough options for all concerned and could move appointments arounds on most of the above dates if needs be.

I look forward to hearing from you.

Best wishes, George

tel: [REDACTED]

On Tue, 10 Nov 2020 at 18:55, Helen Lancaster <Helen.Lancaster@northumberland.gov.uk> wrote:

Dear Mr Hepburn,

Further to previous correspondence I now enclose some Directions prepared by Counsel, James Marwick with regard to how the application should proceed from this point. The Directions have also been forwarded to the Highway Authority.

In accordance with the Directions I therefore look forward to hearing from you with your availability for a pre-inquiry hearing between 1st December and 18th December 2020 by 17th November 2020.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

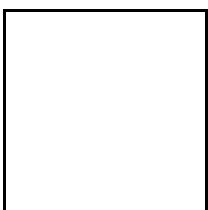
01670 623323

Helen.lancaster@northumberland.gov.uk

Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.



Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to: www.northumberland.gov.uk and click 'pay, apply or report' to access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

STAY ALERT
CONTROL
THE VIRUS
SAVE LIVES

CORONAVIRUS
STAY ALERT
TO STAY SAFE

- Keep a safe distance from others
- Stay home as much as possible
- Keep washing your hands regularly

UK Government

NHS

Northumberland
County Council

Kathy Robson

From: Lynne Jackson
Sent: 16 November 2020 15:12
To: Helen Lancaster
Cc: David Brookes
Subject: RE: Application for village green - land at Mickley Square, Stocksfield, Northumberland

Importance: High

Dear Helen,

Your e mail of 10 November below has been passed to me, and I confirm that I am instructed in this matter on behalf of Northumberland County Council in its capacity as Highways Authority for the County of Northumberland.

I confirm that I will be available for a pre-Inquiry hearing at any time between 1 December and 18 December 2020.

Kind regards,

Lynne Jackson
Lawyer
Legal Services
Northumberland County Council
County Hall
Morpeth
Northumberland
NE61 2EF

E mail - Lynne.Jackson@northumberland.gov.uk
Mob. - 07966325146

From: Helen Lancaster <Helen.Lancaster@northumberland.gov.uk>
Sent: Tuesday, November 10, 2020 7:00 PM
To: David Brookes <David.Brookes@northumberland.gov.uk>
Subject: FW: Application for village green - land at Mickley Square, Stocksfield, Northumberland

David,

You may recall some time ago that I e-mailed you to notify you an application for village green status in relation to land at Mickley Square Stocksfield to which you submitted an objection.

I now enclose some Directions prepared by Counsel, James Marwick with regard to how the application should proceed from this point. The Directions have also been forwarded to the applicant.

In accordance with the Directions I therefore look forward to hearing from you with your availability for a pre-inquiry hearing between 1st December and 18th December 2020 by 17th November 2020 (should you wish to attend).

As stated previously, should you require assistance from Legal Services with regard to the proposed Inquiry please contact Lynne Jackson.

Many thanks,

Helen Lancaster
Principal Solicitor (Corporate and Governance Team)
Northumberland County Council
County Hall, Morpeth,
Northumberland
NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

Kathy Robson

From: Lynne Jackson
Sent: 16 November 2020 15:19
To: Helen Lancaster
Subject: RE: Application for village green - land at Mickley Square, Stocksfield, Northumberland

Dear Helen,

Further to my e mail below, please can you let me have a copy of the Application, or confirm that the same is still available for inspection at County Hall?

Kind regards,

Lynne Jackson
Lawyer
Legal Services
Northumberland County Council
County Hall
Morpeth
Northumberland
NE61 2EF

E mail - Lynne.Jackson@northumberland.gov.uk
Mob. - 07966325146

From: Lynne Jackson
Sent: 16 November 2020 15:12
To: helen.lancaster@northumberland.gov.uk
Cc: david.brookes@northumberland.gov.uk
Subject: RE: Application for village green - land at Mickley Square, Stocksfield, Northumberland
Importance: High

Dear Helen,

Your e mail of 10 November below has been passed to me, and I confirm that I am instructed in this matter on behalf of Northumberland County Council in its capacity as Highways Authority for the County of Northumberland.

I confirm that I will be available for a pre-Inquiry hearing at any time between 1 December and 18 December 2020.

Kind regards,

Lynne Jackson
Lawyer
Legal Services
Northumberland County Council
County Hall
Morpeth
Northumberland
NE61 2EF

E mail - Lynne.Jackson@northumberland.gov.uk
Mob. - 07966325146

From: Helen Lancaster <Helen.Lancaster@northumberland.gov.uk>
Sent: Tuesday, November 10, 2020 7:00 PM
To: David Brookes <David.Brookes@northumberland.gov.uk>
Subject: FW: Application for village green - land at Mickley Square, Stocksfield, Northumberland

David,

You may recall some time ago that I e-mailed you to notify you an application for village green status in relation to land at Mickley Square Stocksfield to which you submitted an objection.

I now enclose some Directions prepared by Counsel, James Marwick with regard to how the application should proceed from this point. The Directions have also been forwarded to the applicant.

In accordance with the Directions I therefore look forward to hearing from you with your availability for a pre-inquiry hearing between 1st December and 18th December 2020 by 17th November 2020 (should you wish to attend). As stated previously, should you require assistance from Legal Services with regard to the proposed Inquiry please contact Lynne Jackson.

Many thanks,

Helen Lancaster
Principal Solicitor (Corporate and Governance Team)
Northumberland County Council
County Hall, Morpeth,
Northumberland
NE61 2EF

01670 623323
Helen.lancaster@northumberland.gov.uk

Kathy Robson

From: Helen Lancaster
Sent: 23 November 2020 14:25
To: Lynne Jackson
Subject: FW: Application for village green - land at Mickley Square, Stocksfield, Northumberland
Attachments: 01347810.pdf; Re: Bewick Green, Mickley Square, Stocksfield, Northumberland; 1403690 - Letter to helen Lancaster Oct 19.doc; Inspector's Directions BEWICK GREEN (final).docx; RE: Application for village green - land at Mickley Square, Stocksfield, Northumberland

Lynne,

I enclose scanned copy application, objection from David Brookes, response from the applicant and Inspector's Directions.

The pre-hearing meeting is due to take place remotely at 11:00 on 8th December 2020; I enclose copy e-mail sent to David Brookes in this regard.

Many thanks,

Helen

Application to Northumberland County Council

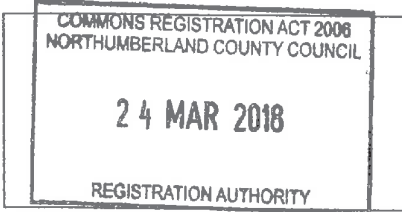
**for registration of land
at Mickley Square
as a village green
under the Commons Act: section 15**

Folder 1 of 2

Commons Act 2006: Section 15

Application for the registration of land as a Town or Village Green

Official stamp of registration authority indicating valid date of receipt:



Application number:

Register unit No(s):

VG number allocated at registration:

(CRA to complete only if application is successful)

Applicants are advised to read the 'Guidance Notes for the completion of an Application for the Registration of land as a Town or Village Green' and to note the following:

- All applicants should complete questions 1–6 and 10–11.
- Applicants applying for registration under section 15(1) of the 2006 Act should, in addition, complete questions 7–8. Section 15(1) enables any person to apply to register land as a green where the criteria for registration in section 15(2), (3) or (4) apply.
- Applicants applying for voluntary registration under section 15(8) should, in addition, complete question 9.

Note 1
Insert name of registration authority.

1. Registration Authority

To the

Note 2

If there is more than one applicant, list all names. Please use a separate sheet if necessary. State the full title of the organisation if a body corporate or unincorporate.

If question 3 is not completed all correspondence and notices will be sent to the first named applicant.

Note 3

This question should be completed if a solicitor is instructed for the purposes of the application. If so all correspondence and notices will be sent to the person or firm named here.

2. Name and address of the applicant

Name:

Full postal address:

Telephone number:
(incl. national dialling code)

Fax number:
(incl. national dialling code)

E-mail address:

3. Name and address of solicitor, if any

Name:

Firm:

Full postal address:

Post code

Telephone number:
(incl. national dialling code)

Fax number:
(incl. national dialling code)

E-mail address:

Note 4

For further advice on the criteria and qualifying dates for registration please see section 4 of the Guidance Notes.

* Section 15(6) enables any period of statutory closure where access to the land is denied to be disregarded in determining the 20 year period.

4. Basis of application for registration and qualifying criteria

If you are the landowner and are seeking voluntarily to register your land please tick this box and move to question 5.

Application made under section 15(8):

If the application is made under section 15(1) of the Act, please **tick one** of the following boxes to indicate which particular subsection and qualifying criterion applies to the case.

Section 15(2) applies:

Section 15(3) applies:

Section 15(4) applies:

If section 15(3) or (4) applies please indicate the date on which you consider that use as of right ended.

If section 15(6)* applies please indicate the period of statutory closure (if any) which needs to be disregarded.

Note 5

The accompanying map must be at a scale of at least 1:2,500 and show the land by distinctive colouring to enable it to be clearly identified.

* Only complete if the land is already registered as common land.

Note 6

It may be possible to indicate the locality of the green by reference to an administrative area, such as a parish or electoral ward, or other area sufficiently defined by name (such as a village or street). If this is not possible a map should be provided on which a locality or neighbourhood is marked clearly.

5. Description and particulars of the area of land in respect of which application for registration is made

Name by which usually known:

Bewick Green

Location:

Area of open green at Mickley Square to the west of Eltringham Cottages at the junction with Bewick Garth which runs through the middle of Bewick Green
Photos attached as Exhibit D

Shown in colour on the map which is marked and attached to the statutory declaration. Exhibit A

Common land register unit number (if relevant) *

6. Locality or neighbourhood within a locality in respect of which the application is made

Please show the locality or neighbourhood within the locality to which the claimed green relates, either by writing the administrative area or geographical area by name below, or by attaching a map on which the area is clearly marked:

Mickley Ward of Prudhoe Town Council as shown on map attached – Exhibit B

Tick here if map attached:

7. Justification for application to register the land as a town or village green

Note 7

Enjoyment by a significant number of inhabitants of Mickley Square as of right in lawful sports and pastimes for a period of at least 20 years under section 15(3) of the Commons Act 2006, as witnessed by the 24 enclosed signed statements showing use for activities including playing games, football, picnics, snowball fights, dog walking, camping and participation in community events notably the annual BBQ.

The BBQ has been held annually since 2010 at the initiative of local residents, one of whom provides a large bbq. It is regularly attended by about 50 people from Mickley Square who bring picnic tables and chairs and their own food to bbq. The event starts late afternoon to enable young children to take part and ends about 9pm depending on the weather.

The Green is mainly used by people in the immediate area of 23 households. On these households

- 13 current households have provided letters of support
- 3 household have given verbal support but not provided letters
- 5 households have said the green is best left unregistered as it has never been an issue in the village
- 2 households have not responded at all

In addition, there are three letters of support from local people living living further away in Mickley Ward and three letters of support from former residents who have moved away.

This information is not needed if a landowner is applying to register the land as a green under section 15(8).

Note 8

Please use a separate sheet if necessary.

Where relevant include reference to title numbers in the register of title held by the Land Registry.

If no one has been identified in this section you should write "none"

This information is not needed if a landowner is applying to register the land as a green under section 15(8).

Note 9

List all such declarations that accompany the application. If none is required, write "none".

This information is not needed if an application is being made to register the land as a green under section 15(1).

Note 10

List all supporting documents and maps accompanying the application. If none, write "none"

Please use a separate sheet if necessary.

8. Name and address of every person whom the applicant believes to be an owner, lessee, tenant or occupier of any part of the land claimed to be a town or village green

None

Result of a search of H M land Registry records showing that the land is not registered is attached as Exhibit C

9. Voluntary registration – declarations of consent from ‘relevant leaseholder’, and of the proprietor of any ‘relevant charge’ over the land

None

10. Supporting documentation

Exhibit A : Map showing location of Bewick Green

Exhibit B : Map showing Mickley Ward

Exhibit C : Result of Land registry search

Exhibit D : Photos of Bewick Green

Exhibit E : Letters of support (listed separately and contained in Folder 2)

Note 11

If there are any other matters which should be brought to the attention of the registration authority (in particular if a person interested in the land is expected to challenge the application for registration). Full details should be given here or on a separate sheet if necessary.

11. Any other information relating to the application

Note 12

The application must be signed by each individual applicant, or by the authorised officer of an applicant which is a body corporate or unincorporate.

Date:

26 March 2018

Signatures:

REMINDER TO APPLICANT

You are advised to keep a copy of the application and all associated documentation. Applicants should be aware that signature of the statutory declaration is a sworn statement of truth in presenting the application and accompanying evidence. The making of a false statement for the purposes of this application may render the maker liable to prosecution.

Data Protection Act 1998

The application and any representations made cannot be treated as confidential. To determine the application it will be necessary for the registration authority to disclose information received from you to others, which may include other local authorities, Government Departments, public bodies, other organisations and members of the public.

Statutory Declaration In Support

To be made by the applicant, or by one of the applicants, or by his or their solicitor, or, if the applicant is a body corporate or unincorporate, by its solicitor, or by the person who signed the application.

¹ Insert full name (and address if not given in the application form).

Atoklat
CHARLES
I.....HOBURN, solemnly and sincerely declare as follows:—

² Delete and adapt as necessary.

1.² I am the person who has signed the foregoing application.

³ Insert name if Applicable

2. The facts set out in the application form are to the best of my knowledge and belief fully and truly stated and I am not aware of any other fact which should be brought to the attention of the registration authority as likely to affect its decision on this application, nor of any document relating to the matter other than those (if any) mentioned in parts 10 and 11 of the application.

3. The map now produced as part of this declaration is the map referred to in part 5 of the application.

⁴ Complete only in the case of voluntary registration (strike through if this is not relevant)

~~4. ⁴I hereby apply under section 15(8) of the Commons Act 2006 to register as a green the land indicated on the map and that is in my ownership. I have provided the following necessary declarations of consent:~~

- ~~(i) a declaration of ownership of the land;~~
- ~~(ii) a declaration that all necessary consents from the relevant leaseholder or proprietor of any relevant charge over the land have~~

Cont/

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No bullets or numbering

⁴ *Continued*

~~been received and are exhibited with this declaration; or
(iii) where no such consents are required, a declaration to that effect.~~

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And I make this solemn declaration, conscientiously believing the same to be true, and by virtue of the Statutory Declarations Act 1835.

Declared by the said

at
this 26 day of

GEORGE CHARLES
HEPBURN
Nov 2018

Signature of Declarant

Before me *

Signature:

Address:

Cameron Carls
Solicitor
Caris Robson LLP
7 Front Street, Prudhoe
Northumberland, NE42 5HJ
Tel: 01661 836851
Email: cameron@carisrobson.com

Qualification:

* The statutory declaration must be made before a justice of the peace, practising solicitor, commissioner for oaths or notary public.

Signature of the statutory declaration is a sworn statement of truth in presenting the application and accompanying evidence.

REMINDER TO OFFICER TAKING DECLARATION:

Please initial all alterations and mark any map as an exhibit

Statutory Declaration In Support

To be made by the applicant, or by one of the applicants, or by his or their solicitor, or, if the applicant is a body corporate or unincorporate, by its solicitor, or by the person who signed the application.

¹ *Insert full name (and address if not given in the application form).*

I, George Charles Hepburn of bewickHouse, Bewick Garth, Mickley Square, Northumberland NE43 7AU solemnly and sincerely declare as follows:—

² *Delete and adapt as necessary.*

1.² I am the person who has signed the foregoing application.

³ *Insert name if Applicable*

2. The facts set out in the application form are to the best of my knowledge and belief fully and truly stated and I am not aware of any other fact which should be brought to the attention of the registration authority as likely to affect its decision on this application, nor of any document relating to the matter other than those (if any) mentioned in parts 10 and 11 of the application.

3. The map now produced as part of this declaration is the map referred to in part 5 of the application.

⁴ *Complete only in the case of voluntary registration (strike through if this is not relevant)*

Cont/

⁴ *Continued*

Formatted: Space Before: 1.25 pt

And I make this solemn declaration, conscientiously believing the same to be true, and by virtue of the Statutory Declarations Act 1835.

Declared by the said *George Charles Hepburn*
at *Prudhoe, Northumberland*
this *23rd* day of *April 2019*

Signature of Declarant

Before me *

Signature:

Address: **Cameron Caris**
Solicitor
Caris Robson LLP
7 Front Street, Prudhoe
Northumberland, NE42 5HJ
Tel: 01661 836851
Email: cameron@carisrobson.com

Qualification:

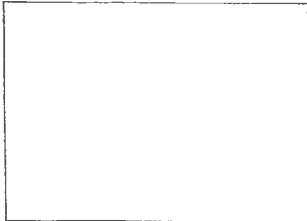
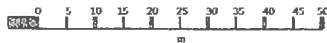
* The statutory declaration must be made before a justice of the peace, practising solicitor, commissioner for oaths or notary public.

Signature of the statutory declaration is a sworn statement of truth in presenting the application and accompanying evidence.

REMINDER TO OFFICER TAKING DECLARATION:

Please initial all alterations and mark any map as an exhibit

EXHIBIT A.: BEWICK GREEN
MARKED IN RED.



OS MasterMap 1250/2500/10000 scale
 Wednesday, February 28, 2018, ID: BLJT-00694017
 www.planningapplicationmaps.co.uk

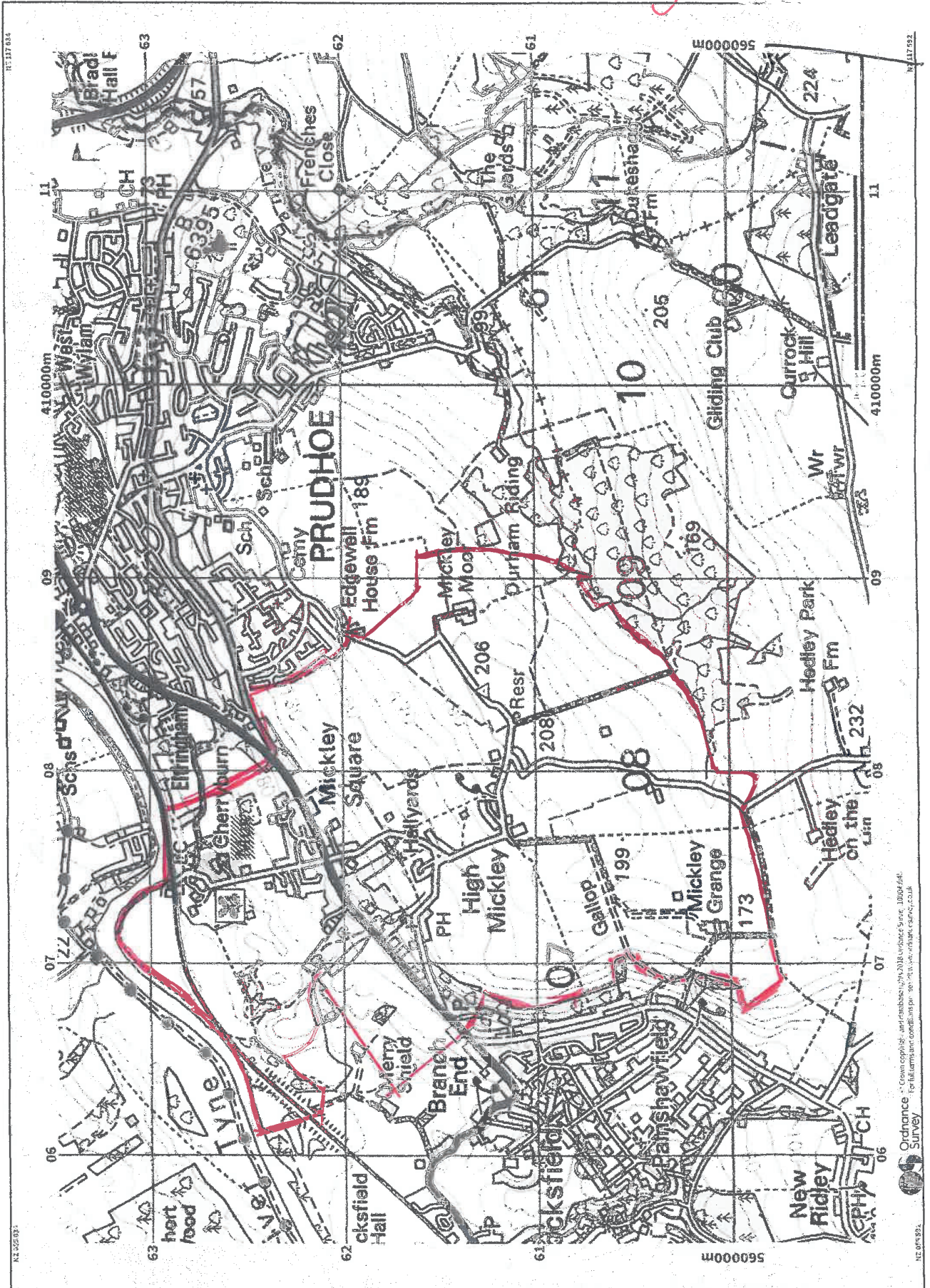
1:1250 scale print at A4, Centre: 407484 E, 562252 N

©Crown Copyright Ordnance Survey. Licence no. 100051661



EXHIBIT B - MICKLEY WARD

— ward boundary



Ordnance Survey
© Crown copyright and database right 2018. Licence No. 1000446.
For full terms and conditions, see www.ordnancesurvey.co.uk

EXHIBIT C

Certificate Date: 4 JAN 2018
Certificate Time: 00.00.01
Certificate Ref: 191/D17EDMB

Property	Land edged blue on the plan attached to the application and described in form SIM as LAND AT, BEWICK GARTH, MICKLEY, STOCKSFIELD, NORTHUMBERLAND, NE43 7AU.
----------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------

The index map does not define the extent of the land in any registered title. This reflects the fact that the boundary of a registered estate as shown for the purposes of the register is a general boundary, unless shown as determined under section 60 of the Land Registration Act 2002. You might also wish to refer to the individual register and title plan of any adjoining titles for details of the surrounding registered estates and their general boundaries and/or determined boundaries.

Result

The index map has been searched in respect of the Property with the following result:

No registered estate, caution against first registration or application for first registration or application for a caution against first registration is shown on the index map in relation to the Property. We therefore hold no records in respect of the Property.

The plan lodged with your application for a search of the index map has been accepted for this application. Any statement of disclaimer has been disregarded as it is assumed that it was not intended to apply for the purposes of the application.

Please note that the acceptance of the plan for this particular application does not necessarily mean that the same plan would be accepted if subsequently used for another application. All plans lodged with a Land Registry application should comply with the guidelines in Land Registry's Practice Guide 40, Supplement 2. Lodging a plan which does not comply with the guidelines may result in

Continued on page 2

Your Reference: HEPBURN	Key Number: -----	Any enquiries concerning this certificate to be addressed to: TF RO CO Durham Office PO Box 75 Gloucester GL14 9BD Tel. No: (0300) 006 0010
George Hepburn Bewick House Bewick Garth Mickley Square NE43 7AU		

Certificate Date:	4 JAN 2018
Certificate Time:	00.00.01
Certificate Ref:	191/D17EDMB

requisitions being raised, (such as a request to delete a statement of disclaimer) or the application being cancelled.

For further information about:

SIMS - see Practice Guide 10 - Official searches of the index map

How to obtain official copies - see Practice Guide 11 - Inspection and applications for official copies

Plan requirements for registration - see Practice Guide 40 - Land Registry plans - (www.gov.uk/land-registry).

Ordnance Survey map products - (www.ordnancesurvey.co.uk).

END OF RESULT.

KE

George Hepburn
Bewick House
Bewick Garth
Mickley Square
NE43 7AU

EXHIBIT C

Any parts of the form that are not typed should be completed in black ink and in block capitals.

If you need more room than is provided for in a panel, and your software allows, you can expand any panel in the form. Alternatively use continuation sheet CS and attach it to this form.

HM Land Registry is unable to give legal advice, but you can find guidance on HM Land Registry applications (including our practice guides for conveyancers) at www.gov.uk/land-registry.

HM LAND REGISTRY USE ONLY
Record of fees paid

Particulars of under/over payments

Reference number
Fees debited £

Where there is more than one local authority serving an area, enter the one to which council tax or business rates are normally paid.

If no postal address insert description, for example 'land adjoining 2 Acacia Avenue'.

To find out more about our fees visit www.gov.uk/government/collections/fees-land-registry-guides

Place 'X' in the appropriate box.

The fee will be charged to the account specified in panel 4.

1	Local authority serving the property:	Northumberland	
2	Property to be searched	Flat/unit number:	
	Postal number or description:	see continuation sheet	
	Name of road:	Bewick Garth	
	Name of locality:	Mickley Square	
	Town:	Stocksfield	
	Postcode:	NE43 7AU	
	Ordnance Survey map reference (if known):	NZ07484 62278	
	Known title number:	not known	
3	Application and fee		
		Application	Fee paid (£)
		Search of the index map	£7
	Fee payment method		
	<input checked="" type="checkbox"/> cheque made payable to 'Land Registry'		
	<input type="checkbox"/> direct debit, under an agreement with Land Registry		

This panel must always be completed.

If you are paying by direct debit, this will be the account charged.

Please note that until further notice all copies ordered using this form will be despatched in paper form. When email despatch becomes available, a direction will appear on GOV.UK and details will be given in practice guide 10: inspection and application for official copy. Until there is a direction, you do not need to complete this panel to obtain an official copy in paper format.

Place 'X' in the box if applicable.

Any attached plan must contain sufficient details of the surrounding roads and other features to enable the land to be identified satisfactorily on the Ordnance Survey map. A plan may be unnecessary if the land can be identified by postal description.

WARNING

If you dishonestly enter information or make a statement that you know is, or might be, untrue or misleading, and intend by doing so to make a gain for yourself or another person, or to cause loss or the risk of loss to another person, you may commit the offence of fraud under section 1 of the Fraud Act 2006, the maximum penalty for which is 10 years' imprisonment or an unlimited fine, or both.

Failure to complete this form with proper care may result in a loss of protection under the Land Registration Act 2002 if, as a result, a mistake is made in the register.

Under section 66 of the Land Registration Act 2002 most documents (including this form) kept by the registrar relating to an application to the registrar or referred to in the register are open to public inspection and copying. If you believe a document contains prejudicial information, you may apply for that part of the document to be made exempt using Form EX1, under rule 136 of the Land Registration Rules 2003.

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4	This application is sent to Land Registry by	
	Key number (if applicable):	
	Name: George Hepburn Address or UK DX box number: Bewick House, Bewick Garth, Mickley Square, NE43 7AU	
	Email address: Reference:	
	Phone no:	Fax no:
5	Issue of certificate of result of search in paper format where an email address has been supplied	
	If you have supplied an email address in panel 4, then, unless you complete the box below, any certificate of result of search of the index map will be issued electronically to that address, if there is a direction under section 100(4) of the Land Registration Act 2002 by the registrar covering such issuing.	
	<input type="checkbox"/> I have supplied an email address but require the certificate of result of search to be issued in paper format instead of being issued electronically	
6	I apply for an official search of the index map in respect of the land referred to in panel 2 shown marked in blue on the attached plan	
7	Signature of applicant: _____ Date: 21st December 2017	

PHOTOS OF BEWICK GREEN

EXHIBIT D



Views of Bewick Green from the south looking north towards Bewick House showing Bewick Garth crossing Bewick Green

EXHIBIT D



Views of Bewick Green looking north towards Dene House

Application to Northumberland County Council

**for registration of land
at Mickley Square
as a village green
under the Commons Act: section 15**

Folder 2 of 2

Application to register Bewick Green

Exhibit E

Letters of support

No	Name	Address	Date	Comment
E1	Leslie and Jean Ashworth	23 Riding Terrace, Mickley NE43 7BU	17/03/18	In nhood
E2	Melvyn Charlton	(formerly of) 19 Riding Terrace, Mickley, NE43 7AU	9/03/18	Ex nhood
E3	Jacqueline Dowson	Dene House, Station Bank, Mickley NE43 7AU	17/03/18	In nhood
E4	Andy and Sue Green	1 Eltringham Cottages, Mickley NE43 7BX	18/03/18	In nhood
E5	Edward Fenwick	21 Riding Terrace, Mickley, NE43 7BU	9/03/18	In nhood
E6	George Hepburn	Bewick House, Bewick Garth, Mickley, NE43 7AU	24/03/18	In nhood
E7	Jan McGregor Hepburn	Post Office Cottage, Station Bank, Mickley NE43 7BX	24/03/18	In nhood
E8	Chris and Helen Johnson	Heathcote, Mickley, NE43 7BS	8/03/18	Ex nhood
E9	Cheryl Johnson	Rivendell, Bewick Garth, NE43 7AU	17/03/18	In nhood
E10	Adrian Lamb	8 Bewick Garth, Mickley, NE43 7AU	19/03/18	In nhood
E11	Paul and Bettina Newton	Phoenix House, Bewick Garth, Mickley, NE43 7AU	16/03/18	In nhood
E12	Rev Mark Sharman	4 Eltringham Cottages, Mickley, NE43 7BX	4/03/18	In nhood
E13	Keith Shaw and Diane Westwood	20 Riding Terrace, Mickley, NE43 7BU	17/03/18	In nhood
E14	Hilary Skoyles	58 Riding Dene, Mickley, NE43 7DQ	5/03/18	In nhood
E15	Stephen Smith	2 Sandesykes, Prudhoe NE42 6LW	19/03/18	Ex nhood
E16	Graham Storey	3 Eltringham Cottages, Mickley NE43 7BX	24/03/18	In nhood
E17	Rob Warr	5 Riding Terrace, Mickley NE43 7BU	19/03/18	Nr nhood
E18	Paul and Jane Tailford	13 Riding Terrace, Mickley NE43 7BU	25/03/18	Nr nhood
E19	Andrea Charlton	5 North View, Mickley, NE43 7DA	25/03/18	Nr nhood

Totals: currently living in neighbourhood = 13 (out of 23)

Previously lived in neighbourhood = 3

Currently living near neighbourhood = 3

£1

23 Riding Terrace
Mickley
Stocksfield
Northumberland
NE43 7BU

17th March 2018

To whom it may concern,

We write in support of the claim to register The Green (designated in red on the attached plan) at Mickley Square as an official village green at Northumberland County Council.

We have lived in Mickley Square at our address adjacent to The Green for many years.

During the whole of this period The Green has been completely open to the public and used as a recreational area by local children, by residents of South View as a means of access to their homes, and for many years as an area where summer barbeques which we have attended are held. The Green is also used responsibly by dog owners including ourselves on a daily basis. It has never been fenced and no notices have been displayed seeking to curtail access by local residents.

The Green is also important in providing an attractive setting for some of the oldest houses in Mickley Square which are grouped round The Green. Loss of this open space would certainly have an adverse impact on this setting, which leads down to the significant tourist destination of the birthplace of Thomas Bewick, the noted 19th century engraver and natural history author.

The Green therefore has considerable recreational and social value as well as being an attractive area of open green space within the village. By registering The Green as an official village green the hope is that this open space will be preserved for the amenity of all residents for years to come.

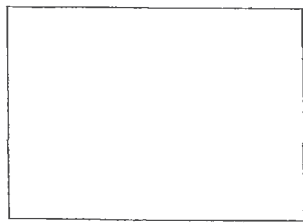
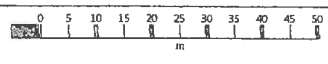
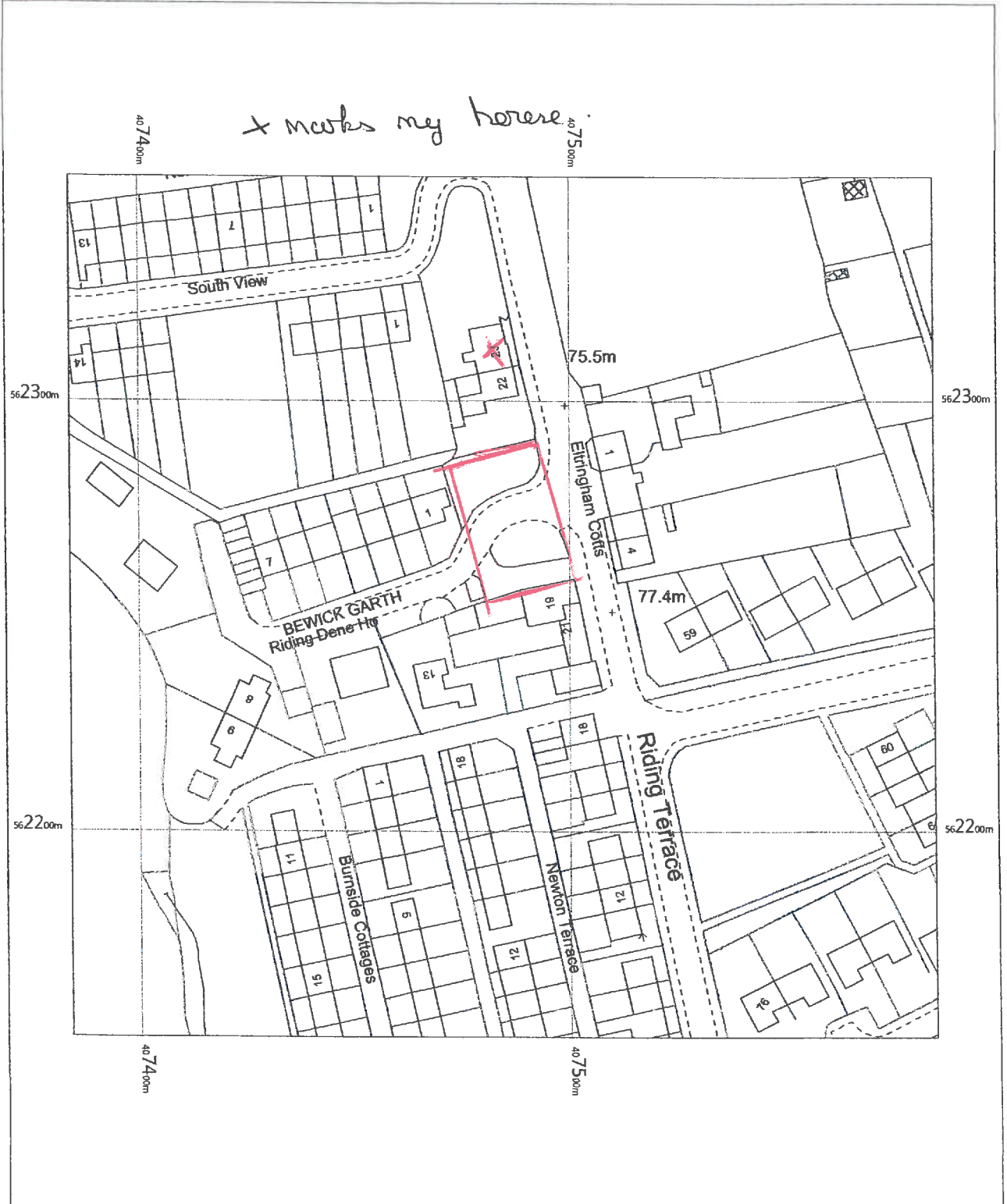
We fully support the application to register The Green as an official village green and write this letter in the knowledge that it will be used in evidence as part of the application for village green status.

Yours sincerely,

Bewick House

E1

x marks my house.



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E 2

19 Riding Terrace,
Mickley,
Stocksfield.
Northumberland NE43 7BU

9th March 2018

Evidence in support of claim to register

The Green at Mickley Square

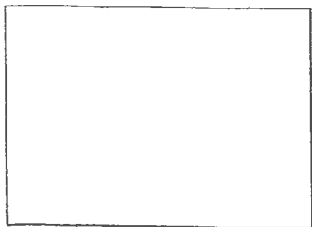
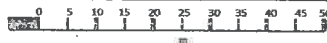
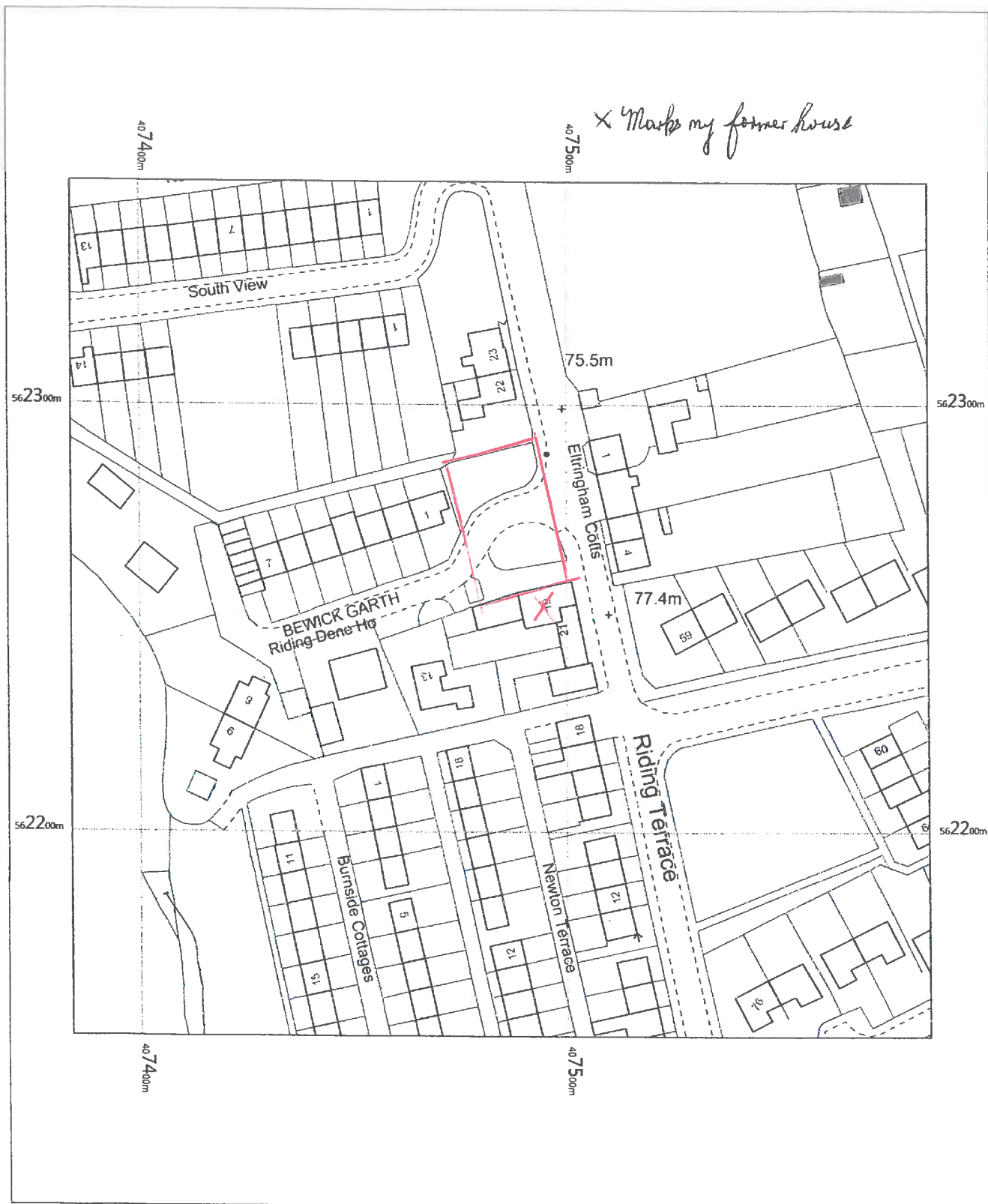
I have lived at the above mentioned address which is in the neighbourhood of The Green at Mickley Square, marked in red on the attached plan between 1956-1996.

During the 40 years I lived there I would walk over the green, exercise my dog, play games, chat with people and was never stopped or questioned what I was doing. I have learned from friends at Mickley that these activities still happen and there is now an annual barbecue on The Green.

I firmly believe that these activities should be treated by Law as having a Lawful origin and I strongly support the application to register The Green as a village green which would benefit the neighbourhood for years to come.

Yours sincerely

Melvyn Charlton



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E3

Dene House,
Station Bank
Mickley Square
NE43 7AU

17th March 2018

Evidence in support of claim to register

The Green at Mickley Square

I have lived at this address, which is in the neighbourhood of The Green at Mickley Square, marked in red on the attached plan, since 2015.

During the time I have lived here, I have never been stopped or challenged by anyone when walking across The Green. I have never seen any notices prohibiting the public using The Green and it has never been fenced in.

During this time, my children have played on the Green and I have walked across it. I have also attended the annual village BBQ held on The Green.

I have carried out these activities without anyone trying to stop me and I believe the activity should be treated by the law as having a lawful origin.

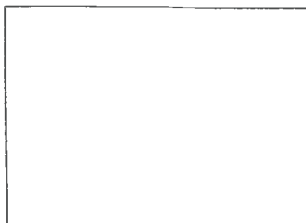
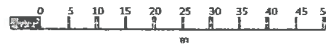
I have written knowing that this letter will be used in evidence to support the application to the register The Green as a village green. I fully support the application to ensure that The Green continues to be used to benefit of the neighbourhood for years to come.

Yours sincerely,

Jacqueline Dowson

* Marks my house

* marks my house



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E4

1 Eltringham Cotts

Mickley
Stocksfield
NE43 7BX

18/3/2018

Evidence in support of claim to register The Green at Mickley Square

We have lived at this address, which is directly opposite the the Green at Mickley Square, marked in red on the attached plan, since 1996.

During the time we have lived here, our use of the Green has never been challenged by anyone and we have never had access denied when walking across The Green. We have never seen any notices prohibiting the public using The Green and there have never been any physical barriers preventing access such as fencing or walls.

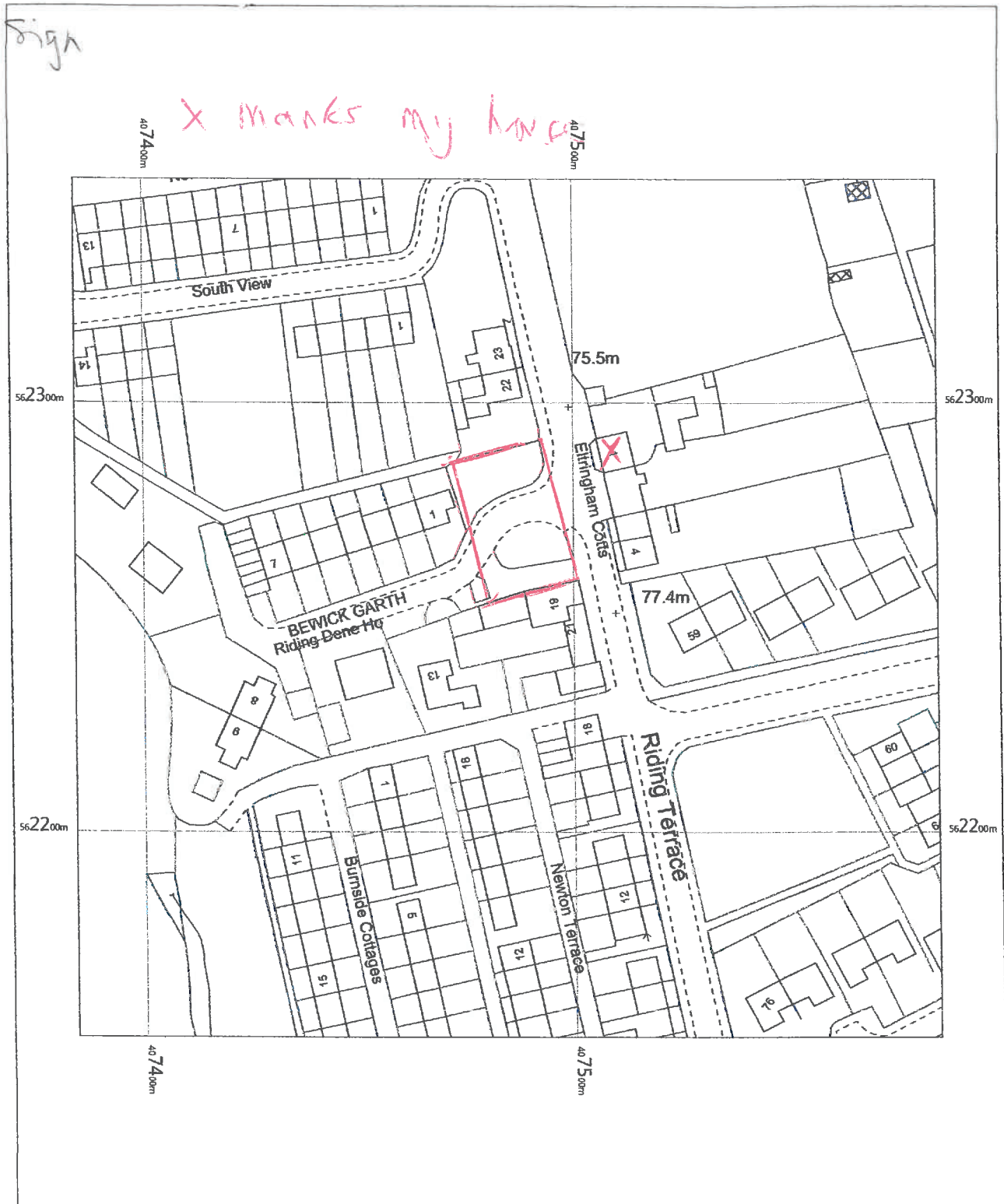
Over the years, we have used The Green for various forms of recreation including walking the dog and community celebrations. Our children have played games on The Green in common with many of the children who live in the surrounding houses. Our family have regularly attended the annual village barbeque on The Green which has been held over the previous 7 years.

We can confirm that I have carried out the activities referred to in this letter for years without anyone trying to stop us and believe the activity should be treated by the law as having a lawful origin.

We have written knowing that this letter will be used in evidence to support the application to register The Green as a village green. We fully support the application to ensure that The Green continues to be used benefit the neighbourhood for years to come.

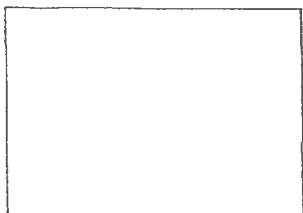
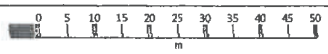
Yours Sincerely,

Mr Andy and Mrs Sue Green



sign

X MARKS MY HOUSE



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21 Ridding Terrace

Mickley.

NE43 7BU

09.03.2018.

Evidence in support of the claim to register The Green in Mickley square. I have lived in Mickley for 66 years, 42 years at this address, which is in sight of the area named as The Green at Mickley Square, marked in red on the attached plan. In all that time I have lived in the village no one has stopped or challenged me when walking across the green.

I have never seen any notices prohibiting the public using the green and it has never been fenced in.

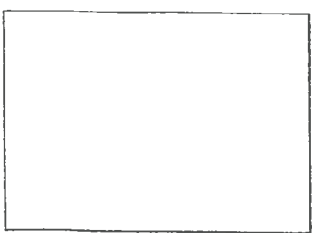
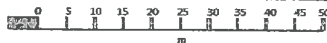
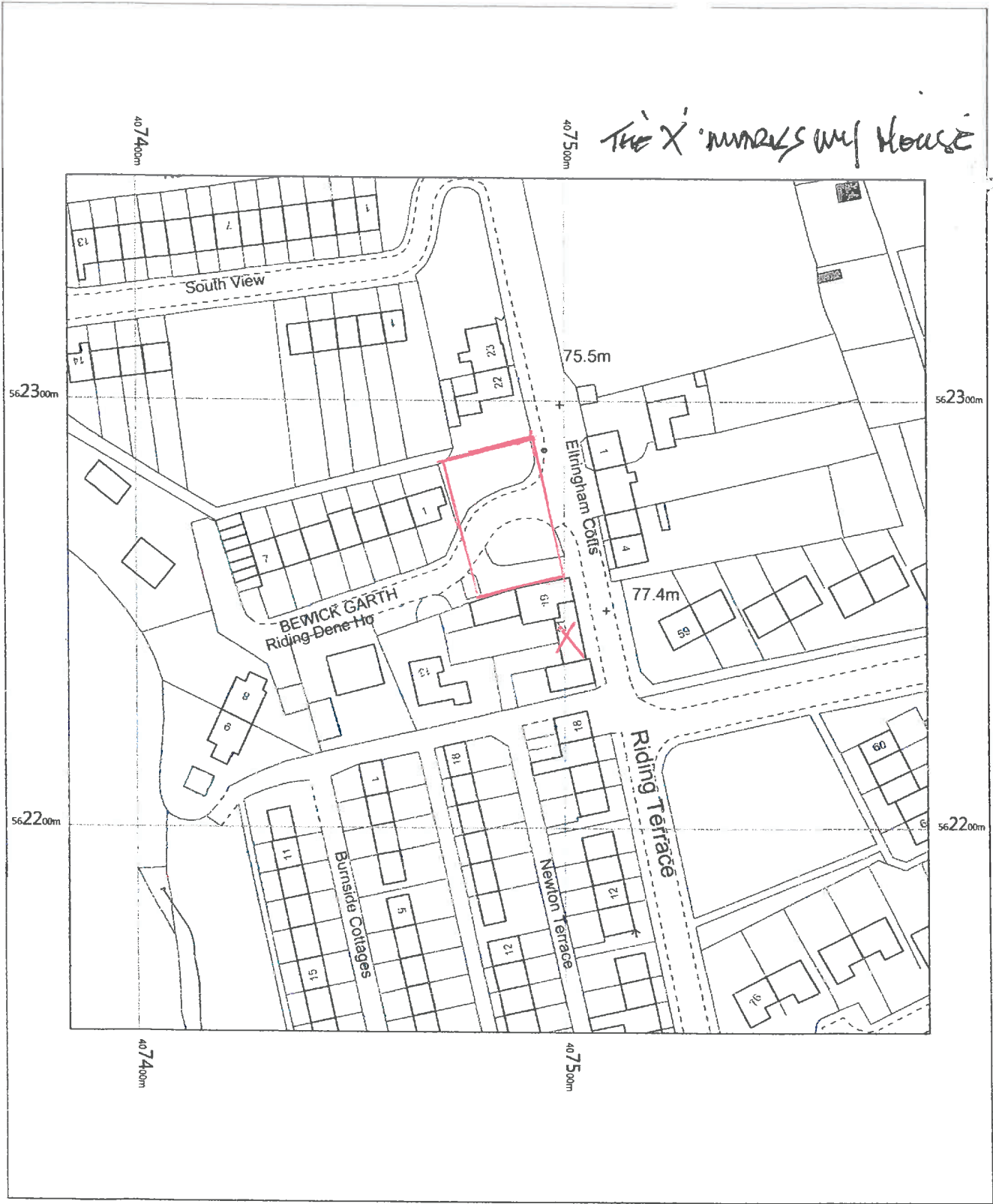
Over the years I have seen the green used for recreations such as playing games, community celebration, the annual village barbeque has been held on the green for the passed seven year's with out any problems. I can also go back 50 years or more to the days during the school holidays some of the local boy's, my shelf included would use the green as one of our regular camping sites this was also with out any problems. I have seen the activities referred to in this letter carried out for years without any complaints from any one, no one has ever been stopped from using the green.

I have written knowing that this letter will be used in evidence to support the application to register The Green as a village Green. I fully support the application to ensure that the Green continues to be used for the benefit of the neighbourhood for many years to come.

Yours sincerely

J E Fenwick

The X marks my house



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E6

Bewick House, Bewick Garth, Mickley Square, Northumberland NE 43 7AU

24th March 2018

**Evidence in support of claim to register
Bewick Green at Mickley Square**

I have lived at this address, which is in the neighbourhood of The Green at Mickley Square, marked in red on the attached plan, since 2007.

During the time I have lived here, I have never been stopped or challenged by anyone when walking across The Green. I have never seen any notices prohibiting the public using The Green and it has never been fenced in.

I regularly walk over the Green and since about 2009 I have cut the grass on the Green as well. I have also pruned the tree nearest to my house on two occasions, cut down a dead tree and planted a new one.

In 2010 we created a flower bed and improved the public path in front of Bewick House to tidy up what had been a unseemly gravel area, where the previous owner of Bewick House had parked his cars.

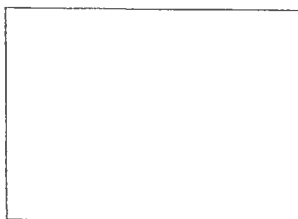
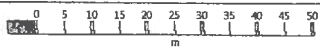
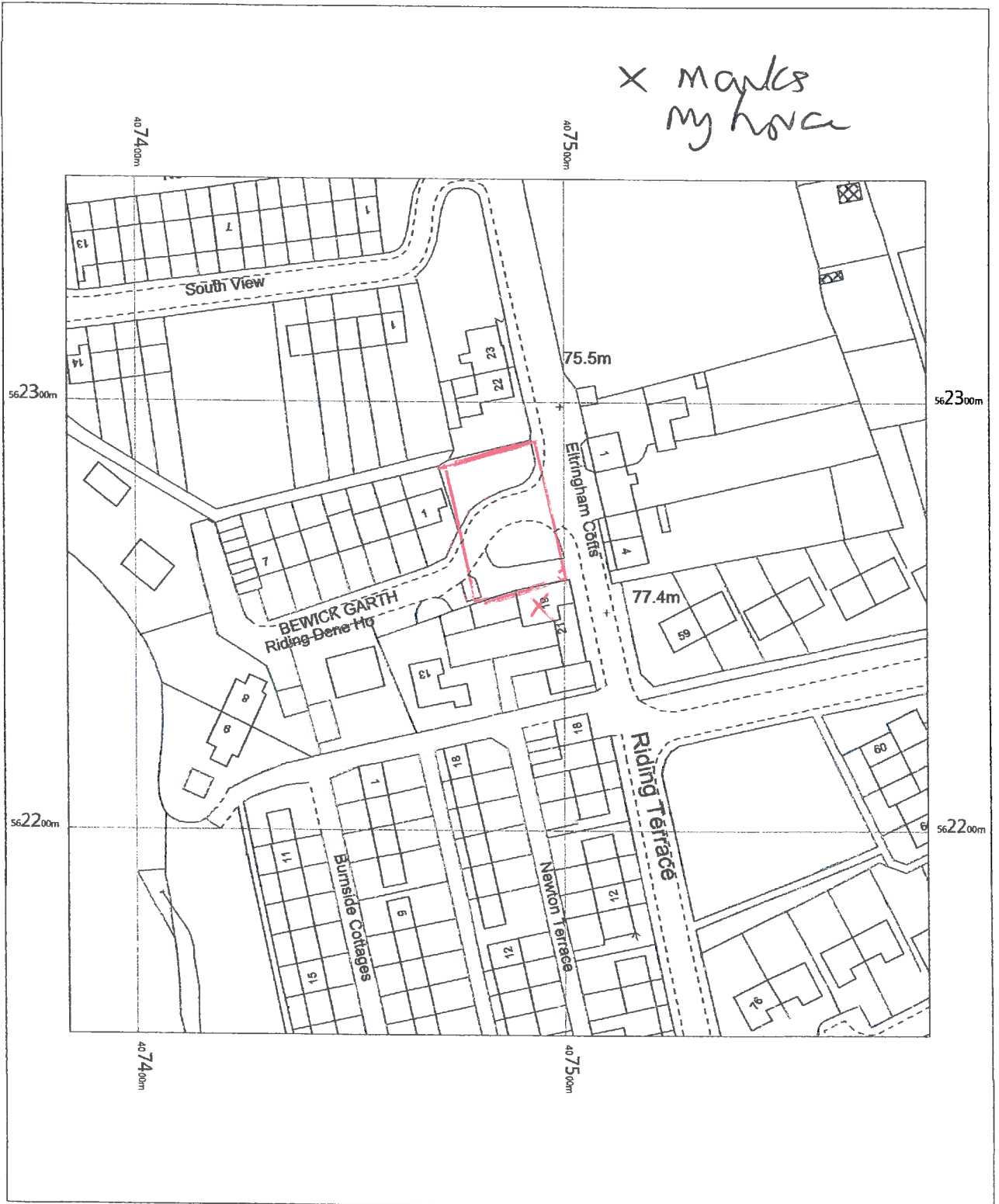
I am one of the organisers of the annual village BBQ which has been held on the Green since 2008. It is advertised to the surrounding houses and regularly draws about 50 people who bring their own chairs and tables and use a large BBQ provided by one of the neighbours. It has become an eagerly anticipated annual get together.

I have carried out the activities referred to in this letter for years without anyone trying to stop me and I believe the activity should be treated by the law as having a lawful origin.

I have written knowing that this letter will be used in evidence to support the application to the register The Green as a village green. I fully support the application to ensure that The Green continues to be used to benefit of the neighbourhood for years to come.

Yours sincerely, George Hepburn OBE

X marks my house



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E7

Post Office Cottage,
Station Bank
Mickley.
Northumberland
NE437BX

24th March 2018

Evidence in support of claim to register

The Green at Mickley Square

I have been at this address, which is in the neighbourhood of The Green at Mickley Square, marked in red on the attached plan, since 1990.

During this time I have never been stopped or challenged by anyone when walking across The Green. I have never seen any notices prohibiting the public using The Green and it has never been fenced in.

Over the years, I have used The Green for recreation including exercise and eating lunch. There has been an annual village barbeque on The Green for the past 7 years which I have attended on occasions. I also plant up and maintain the two large planters, one on each side of the green, and have done this for several years.

I often see and hear children playing on the green, and people walking their dogs; it is a village amenity.

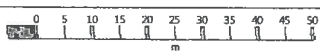
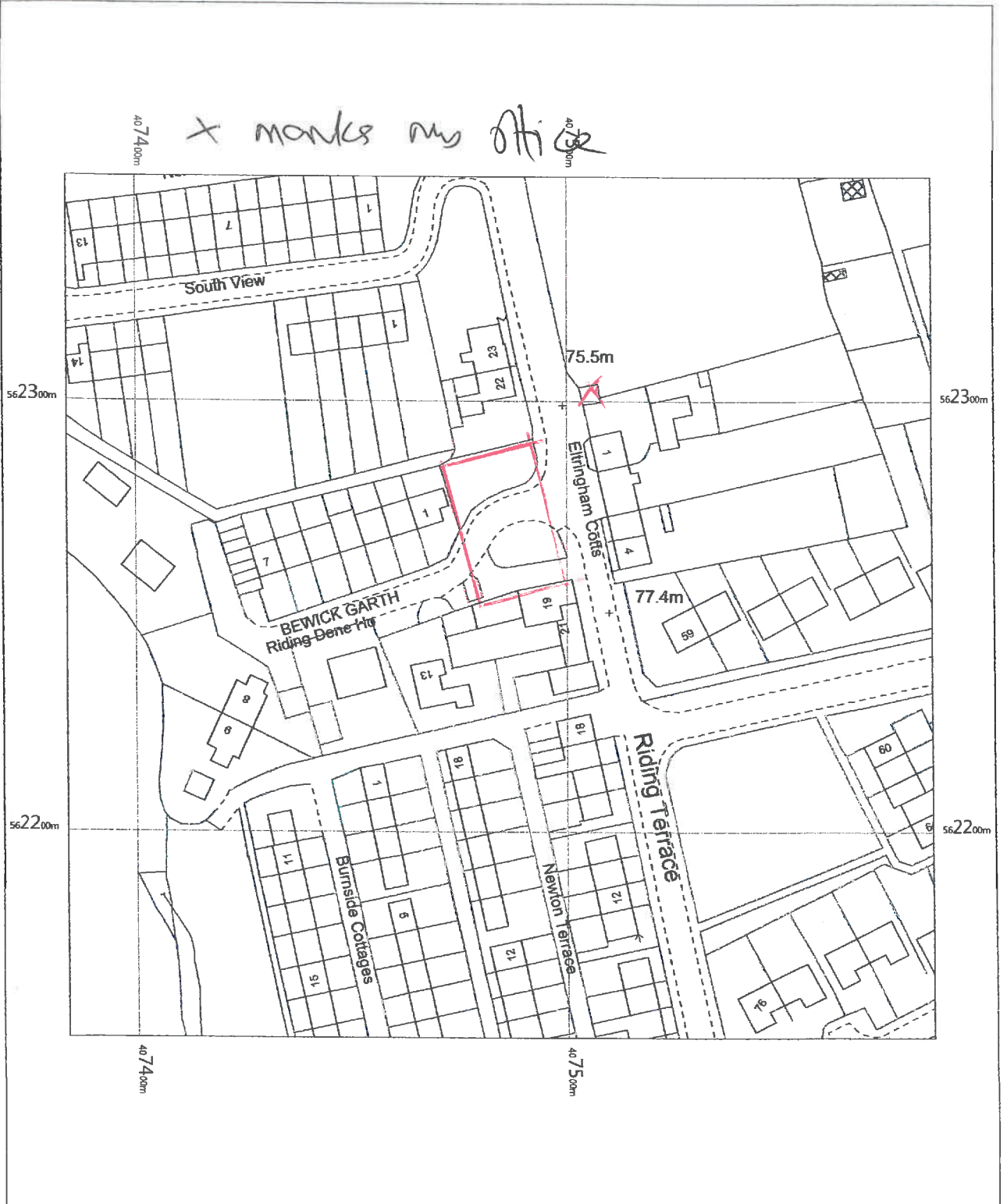
I have carried out the activities referred to in this letter for years without anyone trying to stop me and I believe the activity should be treated by the law as having a lawful origin.

I have written knowing that this letter will be used in evidence to support the application to register The Green as a village green. I fully support the application to ensure that The Green continues to be used to benefit of the neighbourhood for years to come.

Yours sincerely,

J.D. McGregor Hepburn

+ marks my office



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8 March 2018

Evidence in support of claim to register The Green at Mickley Square

I resided at Dene House, 22 Riding Terrace, Mickley, NE43 7BU from 1952 through to my marriage in 1977. The property is still owned by me and my wife and throughout my residency in Mickley the green outlined on the attached plan, in red, has been a place of recreation. I operated the village Post Office from the property through to its closure in 2008. I have memories of children playing on the green.

Never have I or my wife been challenged nor stopped from walking or sitting on The Green nor have there ever been signs or notices prohibiting use by members of the public.

Whilst no longer living at Dene House I rent the property out and I know that my tenants and their children have used The Green for playing and picnicking. Additionally I know that they have attended the annual Village Barbeque since its inception in 2009.

I believe that the activities of walking and sitting enjoying the fresh air that me and my wife have enjoyed over many years should be treated by the law as having a lawful origin.

I understand that this letter will be used in evidence to support the application to register The Green as a village green. My wife and I fully support the application to ensure that The Green remains a space to be used and enjoyed by the residents of the neighbourhood for years to come.

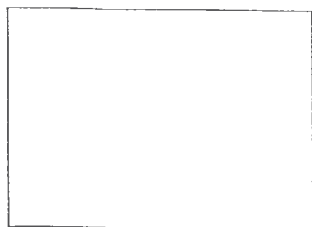
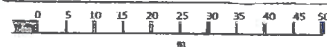
Yours faithfully

Christopher Johnston and Susan Helen Johnston

BE



X MARKS WHERE I USED TO LIVE AND STILL OWN



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E9

RIVENDELL, BEWICK GARTH
MICKLEY, STOCKSFIELD,
NORTHUMBERLAND, NE43 7AU

17/3/2018

I have lived at the above address, which is in the neighbourhood of The Green at Mickley Square, marked in red on the attached plan, since 1996

During the time I have lived here I have never been stopped or challenged by anyone when walking across The Green. I have never seen any notices prohibiting members of the public from using The Green, and it has never been fenced in.

Over the years I have used The Green for many recreational activities such as, playing games with my children, they learned to ride their bikes on the green, picnicking, playing with and training my dogs, and photographing various members of my family as it has always been such a nice setting. Also there has been an annual village barbecue held on The Green for the past 7 years, organised, well attended, and enjoyed by the residents of Bewick Garth and surrounding neighbours. This has always helped greatly to establish a good community spirit among the residents.

I have carried out the above activities referred to in this letter for years without anyone trying to stop me, and I believe the activity should be treated by the law as having lawful origin.

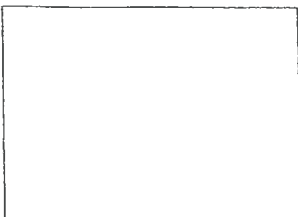
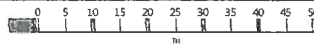
I have written knowing that this letter will be used as evidence to support the application to register The Green as a Village Green. I fully support the application to ensure that The Green will continue to be used for the benefit of the neighbourhood for years to come.

Yours sincerely

CHERYL JOHNSON

Bewick House

29



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E 10

8 Bewick Garth

Mickley

Stocksfield

NE43 7AU

19/03/2018

Evidence in support of claim to register

The Green at Mickley Square

I have lived at this address, which is in the neighbourhood of The Green at Mickley Square, marked in red on the attached plan, since September 2016.

During the time I have lived here, I have never been stopped or challenged by anyone when walking across The Green. I have never seen any notices prohibiting the public using The Green and it has never been fenced in.

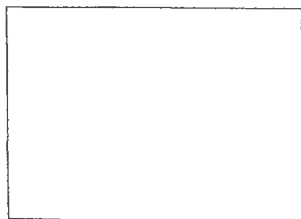
There has been an annual village barbeque on The Green for the past 7 years. Although we were unable to make it last year, I am looking forward to joining in with this over the coming years. We were informed about this before we bought our house, and this was an influencing factor, as we wanted to live somewhere which has a strong community spirit.

I understand that The Green has been used for many years for walking the dog/ exercise/ playing games/ community celebrations/ picnicking, etc., and I believe these activities should be treated by the law as having a lawful origin. I am strongly of the opinion that it is very important for a community that it should have access to a common shared area which can be used for the benefit of all who live near-by.

I have written knowing that this letter will be used in evidence to support the application to the register The Green as a village green. I fully support the application to ensure that The Green continues to be used to benefit of the neighbourhood for years to come.

Yours sincerely,

Mr Adrian Lamb



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E 11

Paul and Bettina Newton
Phoenix House
Bewick Garth
Mickley Square
Northumberland
NE43 7AU

16th March 2018

Evidence in support of claim to register

The Green at Mickley Square

We have lived at this address, which is in the neighbourhood of The Green at Mickley Square, marked in red on the attached plan, since 2004.

During the time we have lived here, we have never been stopped or challenged by anyone when walking across The Green. We have never seen any notices prohibiting the public from using The Green and it has never been fenced in.

Over the years, we have used The Green for various forms of recreation including picnics, playing games and community celebrations. There has been an annual village barbeque on The Green for the past 7 years which we have attended and enjoyed.

The Green is popular with our children who can kick a football around or play catch in a safe and pleasant environment and it is particularly lovely in the Spring time when the daffodils are in bloom.

We have carried out the activities referred to in this letter for years without anyone trying to stop us and we believe the activity should be treated by the law as having a lawful origin.

We have written knowing that this letter will be used in evidence to support the application to register The Green as a village green. We fully support this application to ensure that The Green continues to be used to the benefit of the neighbourhood for years to come.

Yours sincerely

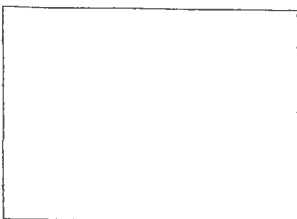
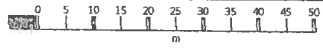
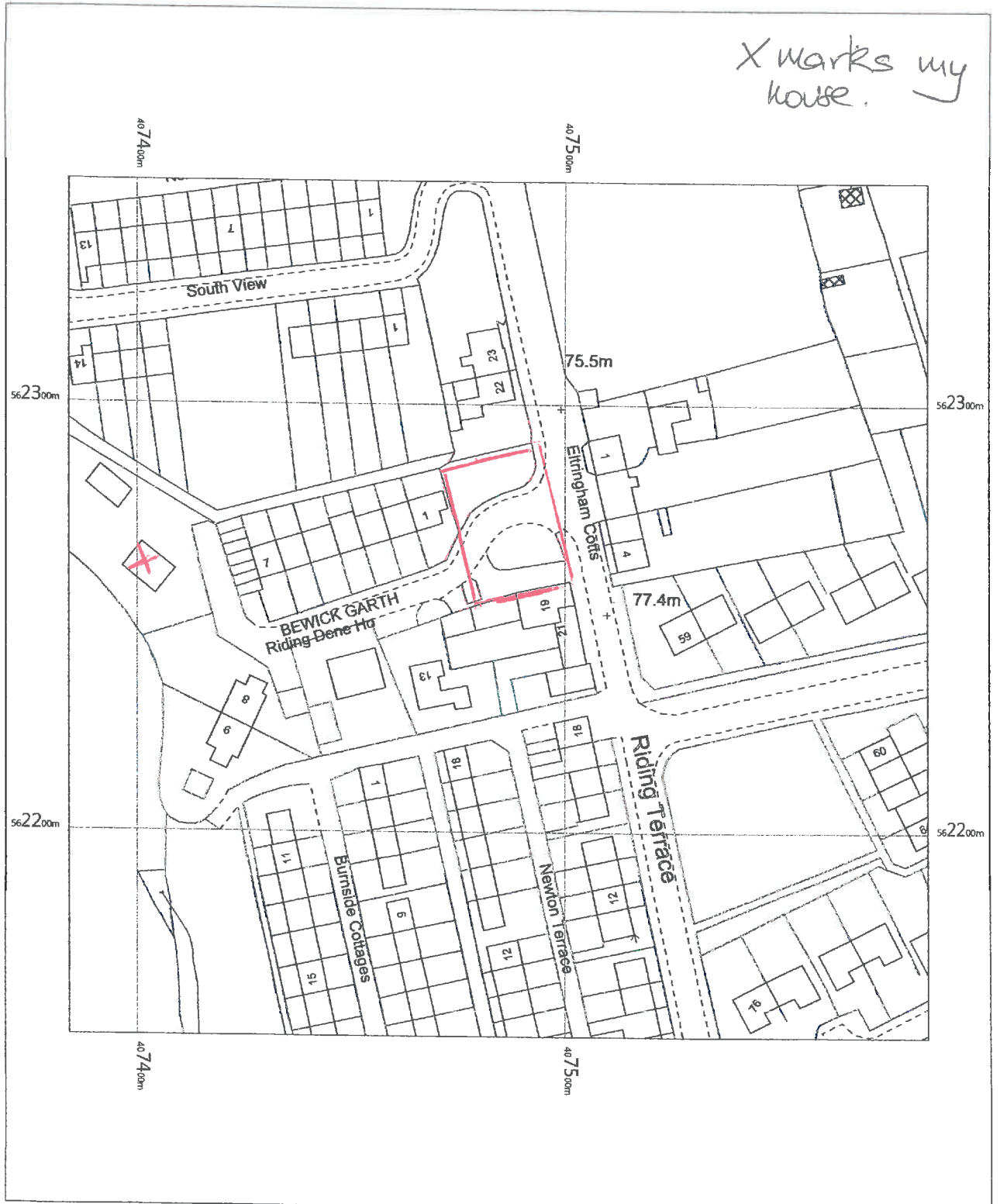
Paul Newton

Bettina Newton

Bewick House

F11

X marks my house.



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F12

Rev. Mark Sharman
4 Eltringham Cottages
Mickley, Stocksfield NE43 7BX
4/3/2018

Evidence in support of claim to register

The Green at Mickley Square

Dear Sir

I have lived at this address, which is opposite The Green at Mickley Square, marked in red on the attached plan, since 1995.

During the time I have lived here, I have never been stopped or challenged by anyone when walking across The Green. I have never seen any notices prohibiting the public using The Green and it has never been fenced in.

Over the years, I have used The Green for recreation including walking the dog, playing games, community celebrations. There has been an annual village barbeque on The Green for the past 7 years. (which I have attended).

I believe that this communal open space is vital for keeping a sense of community in our village.

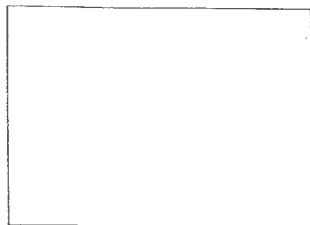
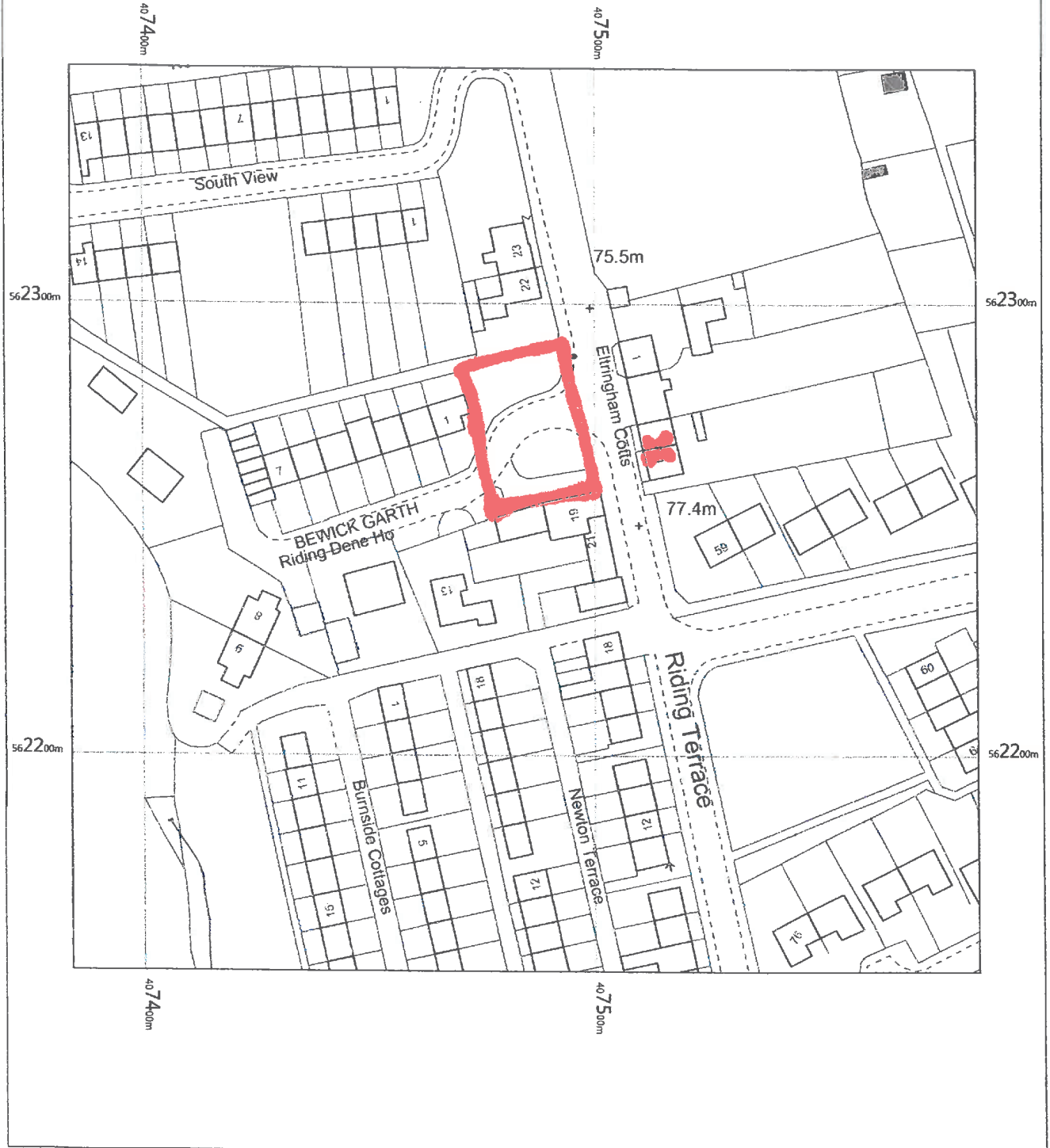
I have carried out the activities referred to in this letter for years without anyone trying to stop me and I believe the activity should be treated by the law as having a lawful origin.

I have written knowing that this letter will be used in evidence to support the application to the register The Green as a village green. I fully support the application to ensure that The Green continues to be used to benefit of the neighbourhood for years to come.

Yours sincerely,

REV MARK SHARMAN

I have marked my house with a cross



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20 Riding Terrace, F13
Mickley
NE4 3 7BU

17th March 2018.

EVIDENCE IN SUPPORT OF A CLAIM TO REGISTER
BENWICK GREEN AT MICKLEY SQUARE.

We have lived at the above address for the past twenty-nine years and you will see from the attached plan that we are close to the area in question.

In all that time we have never been stopped or challenged by anyone when crossing the green and there have never been any prohibiting notices or fencing.

Over the years our family have used Benwick Green for play and community activities and as a pathway to the lanes in the lower part of the village. We believe that such activity should be treated by the law as having a lawful origin.

We fully support the application to register Benwick Green as a village green and are content that this letter may be used in evidence for the application.

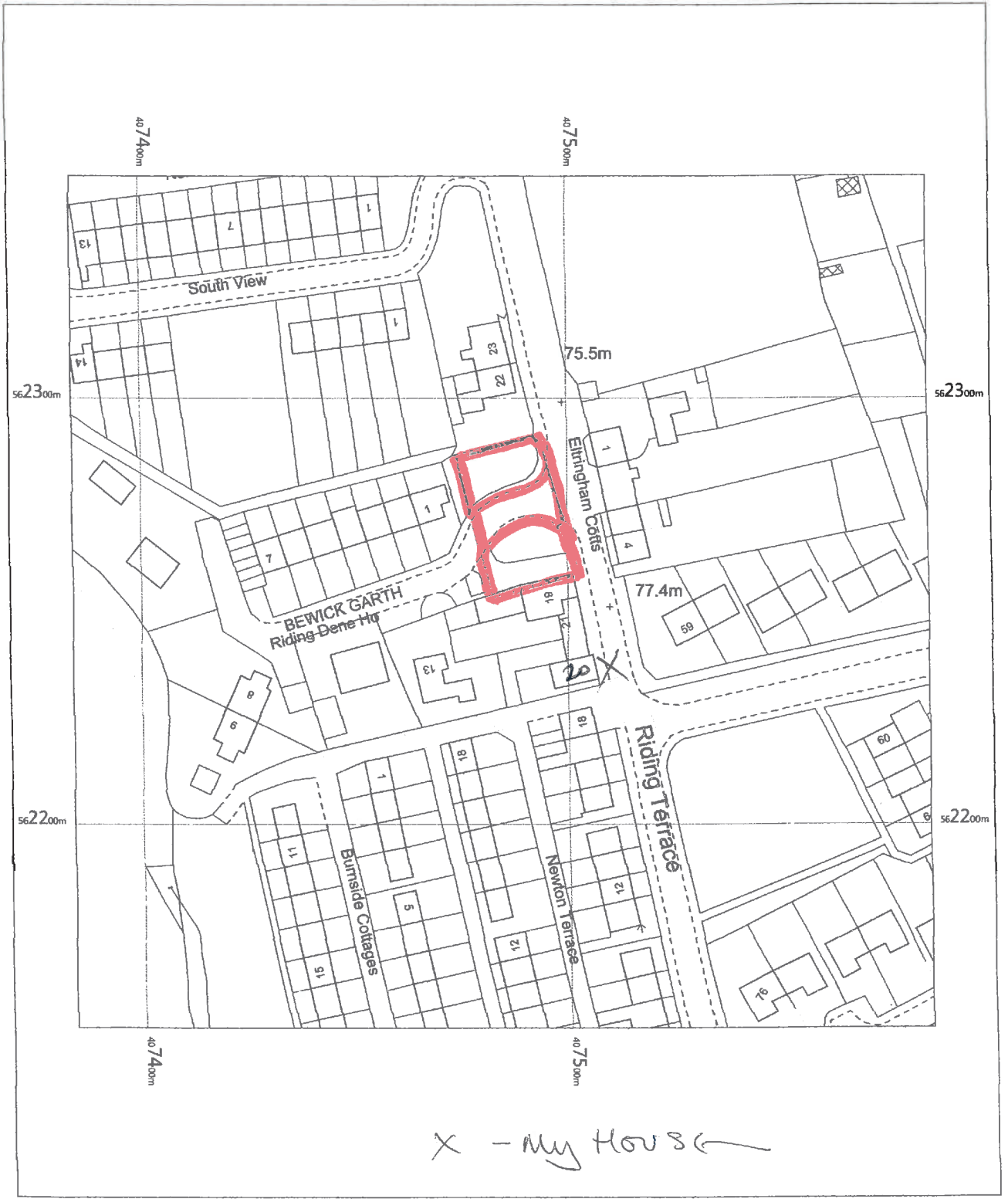
Yours sincerely,

[Dr. Keith Shaw]

[DR. DIANE WESTWOOD]

X13

Bewick House



18/3/18.



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E14

58 Riding Dene,
Mickley Square,
Stocksfield.
Northumberland.
NE43 7DQ

05/03/2018

Evidence in support of claim to register

"The Green" at Mickley Square

I have lived at this address, which is in the neighbourhood of "The Green" at Mickley Square, marked in red on the attached plan, since September 2013.

During the time I have lived in Mickley Square, no one has stopped or challenged me when walking on "The Green". I have never seen any notices prohibiting the public using The Green and it has never been fenced in.

In this time, I have used "The Green" for recreation including walking the dog and community celebrations. There has been an annual village barbeque on "The Green" for the past 7 years and I have attended this enjoyable event.

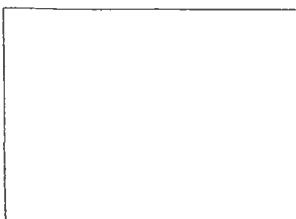
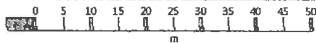
I have carried out the activities referred to in this letter in the time we have lived here without anyone trying to stop me and I believe the activity should be treated by the law as having a lawful origin.

I have written knowing that this letter may be used as evidence to support the application to register "The Green" as a village green. I fully support the application, to ensure that "The Green" continues to be used to benefit the neighbourhood for years to come.

Yours sincerely,

Hilary Skoyles

X marks my house



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E15

2 Sandysykes
Halfway
Prudhoe
Northumberland
NE42 6LW

19/03/2018

Evidence in support of claim to register

The Green at Mickley Square

I have lived at this address, since returning to the area in 2008. Between 1975 and 1986 I lived in Bewick Garth, which is in the neighbourhood of The Green at Mickley Square, marked in red on the attached plan.

During the time I lived here, I was never stopped or challenged by anyone when walking across The Green. I have never seen any notices prohibiting the public using The Green and it has never been fenced in.

Over the years, I have used The Green for recreation including, walking on, making snow men, playing snowballs and generally playing games as a child.

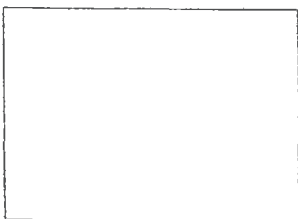
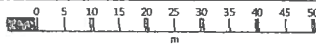
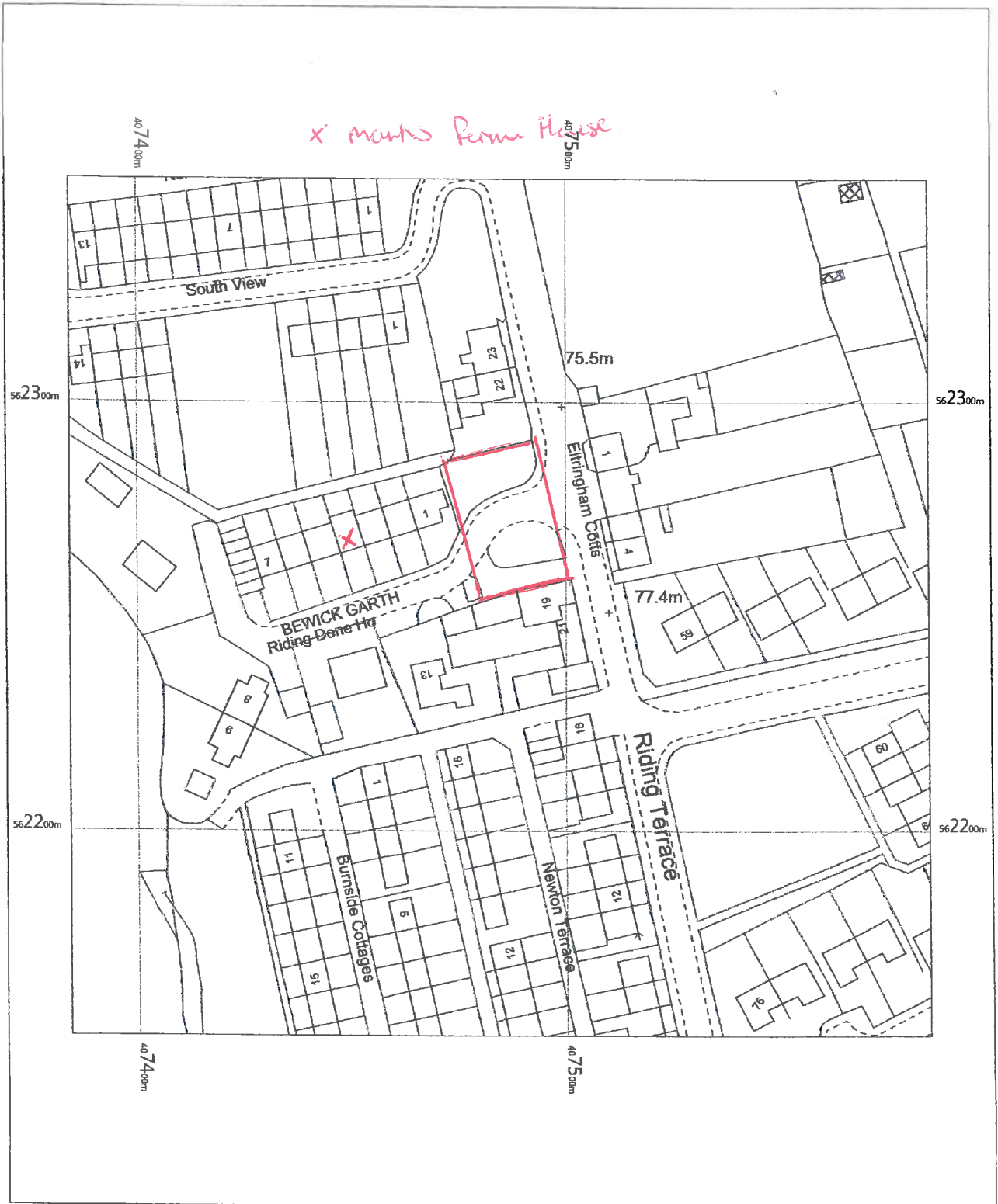
I carried out the activities referred to in this letter for years without anyone trying to stop me and I believe the activity should be treated by the law as having a lawful origin.

I have written knowing that this letter will be used in evidence to support the application to the register The Green as a village green. I fully support the application to ensure that The Green continues to be used to benefit of the neighbourhood for years to come.

Yours sincerely,

Stephen Smith

x marks Farm House



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2 Eltringham Cottages
Mickley Square
NE43 7BX

25/3/18

Evidence in support of claim to register

The Green at Mickley Square

I have lived at this address, which is in the opposite The Green at Mickley Square, marked in red on the attached plan, since 2007.

During the time I have lived here, I have never been stopped or challenged by anyone when walking across The Green. I have never seen any notices prohibiting the public using The Green and it has never been fenced in.

Over the years, I have used The Green for recreation including exercise, playing games and community celebrations. My 3 young children regularly play football on the green as we can keep an eye on them from our house. There has been an annual village barbeque on The Green for the past 7 years. (which I have attended).

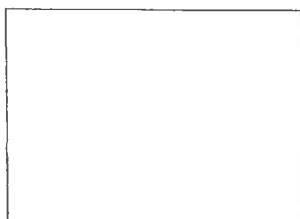
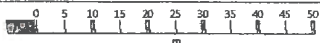
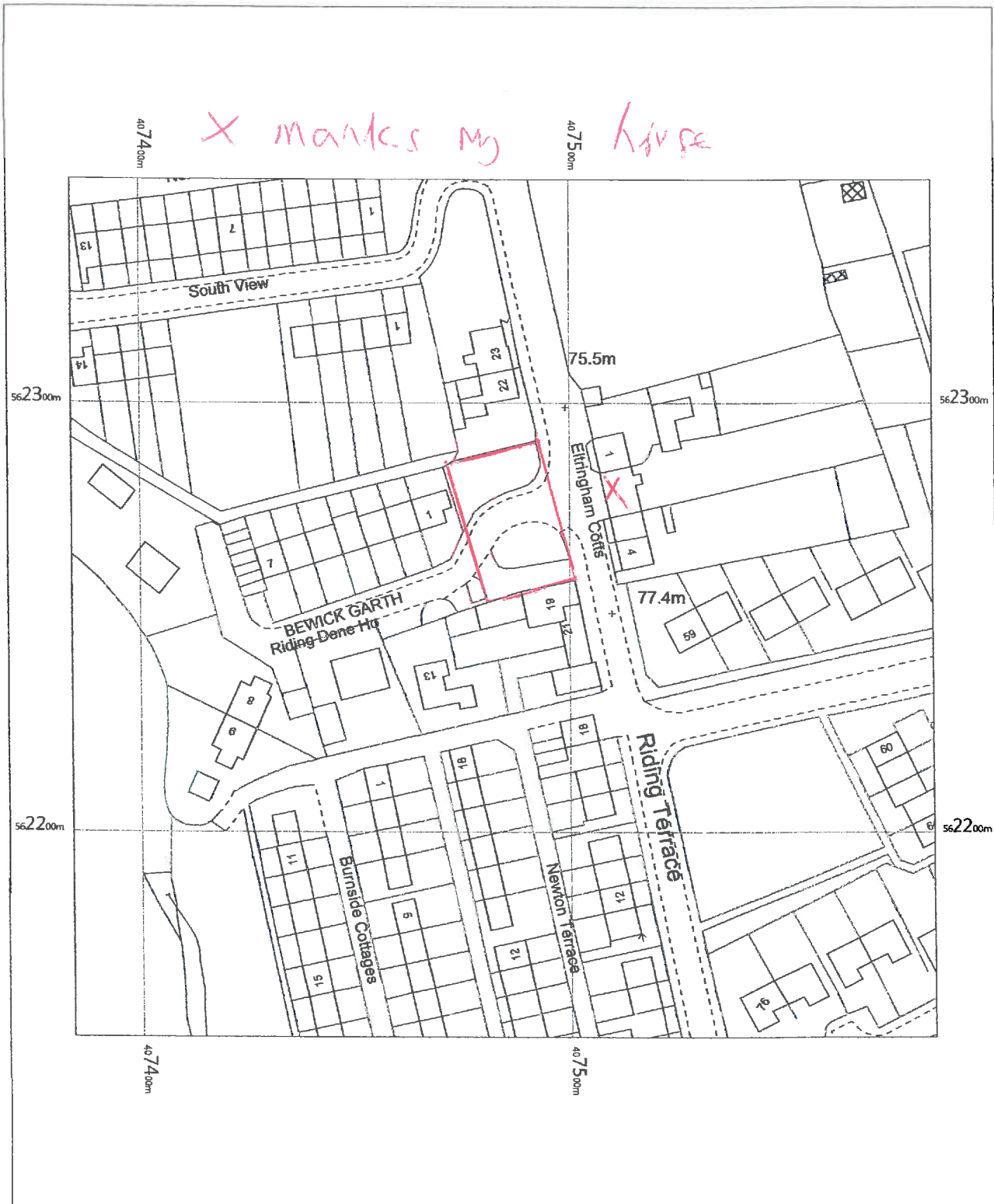
I have carried out the activities referred to in this letter for years without anyone trying to stop me and I believe the activity should be treated by the law as having a lawful origin.

I have written knowing that this letter will be used in evidence to support the application to the register The Green as a village green. I fully support the application to ensure that The Green continues to be used to benefit of the neighbourhood for years to come.

Yours sincerely,

Graham Storey

X marks my house



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EX 7

Mr RD Warr
5 Riding Terrace
Mickley Square
Stocksfield
NE43 7BU

Monday 19th March 2018

Evidence in support of claim to register

The Green at Mickley Square

I have lived at this address, which is in the neighbourhood of The Green at Mickley Square, marked in red on the attached plan, since 2005.

During the time I have lived here, I have never been stopped or challenged by anyone when walking across The Green. I have never seen any notices prohibiting the public using The Green and it has never been fenced in.

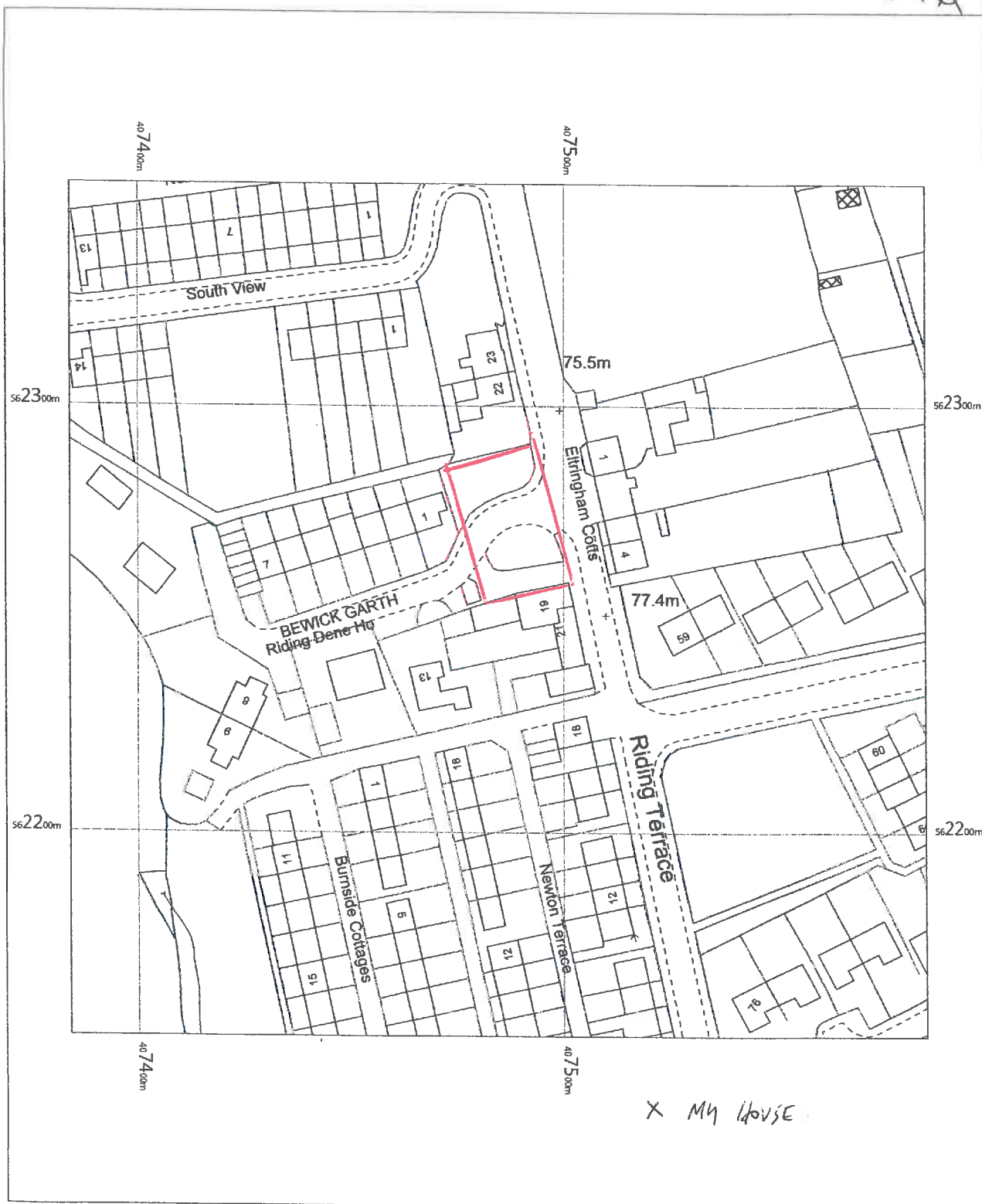
Over the years, I have used The Green for recreation including playing games and community celebrations. There has been an annual village barbeque on The Green for the past 7 years. (which I have attended).

I have carried out the activities referred to in this letter for years without anyone trying to stop me and I believe the activity should be treated by the law as having a lawful origin.

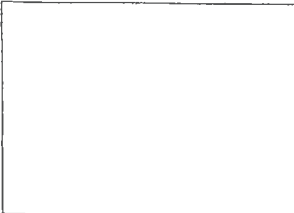
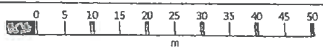
I have written knowing that this letter will be used in evidence to support the application to the register The Green as a village green.

Rob Warr

£117



X My house



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Paul and Jane Tailford
13 Riding Terrace
Mickley Square
NE43 7BU

25th March 2018

Evidence in support of claim to register

The Green at Mickley Square

We live at the above address, which is in the neighbourhood of The Green at Mickley Square, marked in red on the attached plan.

During the time we have lived here, we have never been stopped or challenged by anyone when walking across The Green. I have never seen any notices prohibiting the public using The Green and it has never been fenced in.

Over the years, we have used The Green for recreation including playing games and community celebrations. There has been an annual village barbeque on The Green for the past 7 years which we have attended with our family. We walk across the green most days on the way to our allotment.

We have carried out the activities referred to in this letter for years without anyone trying to stop me and I believe the activity should be treated by the law as having a lawful origin.

We have written knowing that this letter will be used in evidence to support the application to the register The Green as a village green.

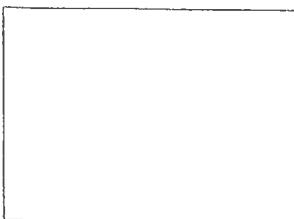
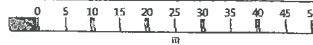
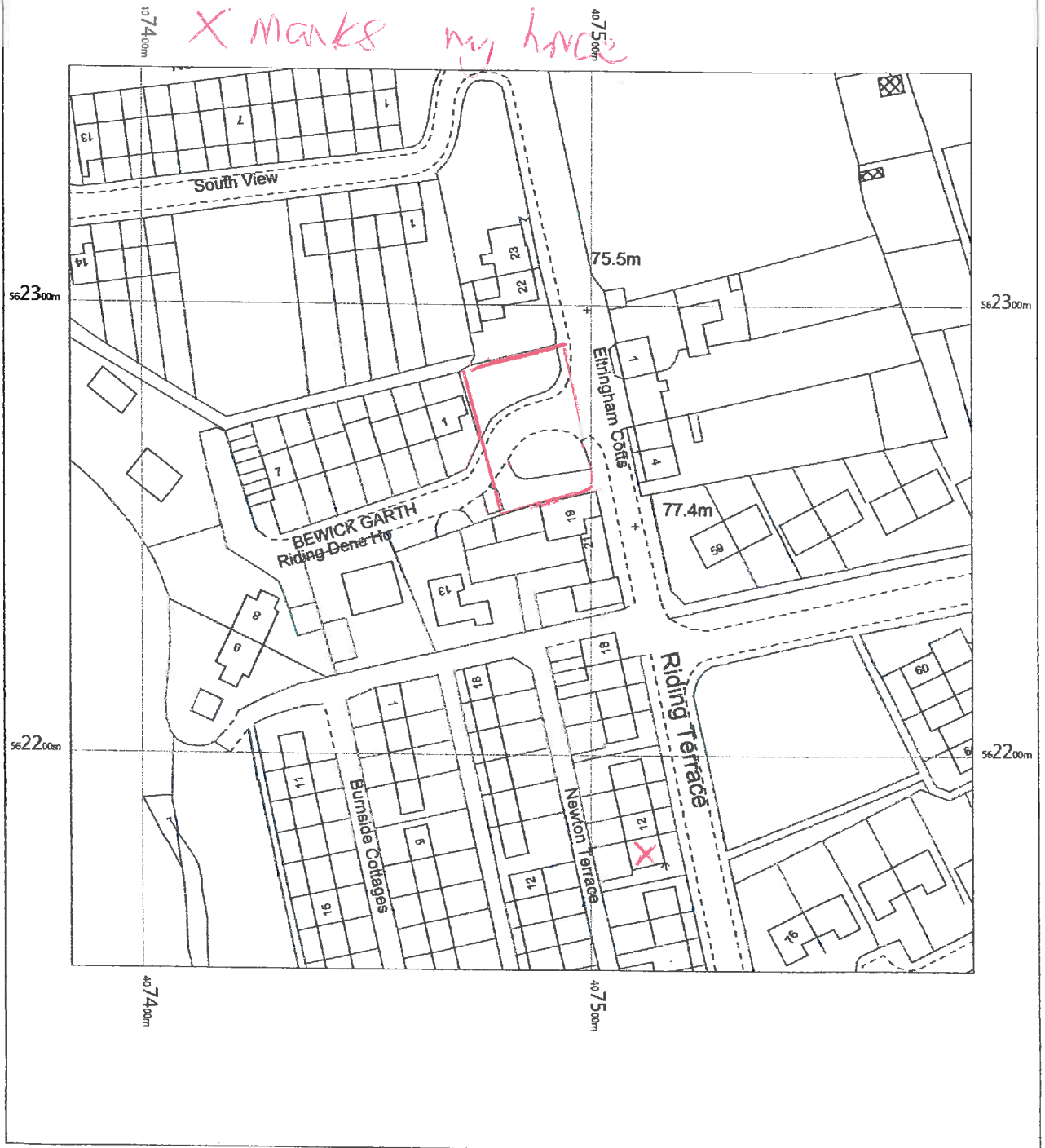
Yours sincerely,

Paul and Jane Tailford

Sig PT

Sig JT

X MARKS my house



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S, North View
mickley
Stacksfield.
Northumberland.
NE43 7DA

E 19

23.3.18

I have lived, at this address, which is in the neighbourhood of The Green at mickley Square, marked in red on the attached plan, since 1994.

During the time I have lived here, I have never been stopped or challenged by anyone when walking across The Green. I have never seen any notices prohibiting the public using The Green and it has never been fenced in.

Over the years, I have used The Green for recreation including walking, community celebrations etc. There has been an annual village barbeque on The Green for the past 7 years (which I have attended).

I have carried out the activities referred to in this letter for years without anyone trying to stop me and I believe the activity should be treated by the law as having a lawful origin. I have

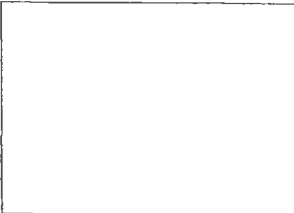
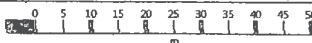
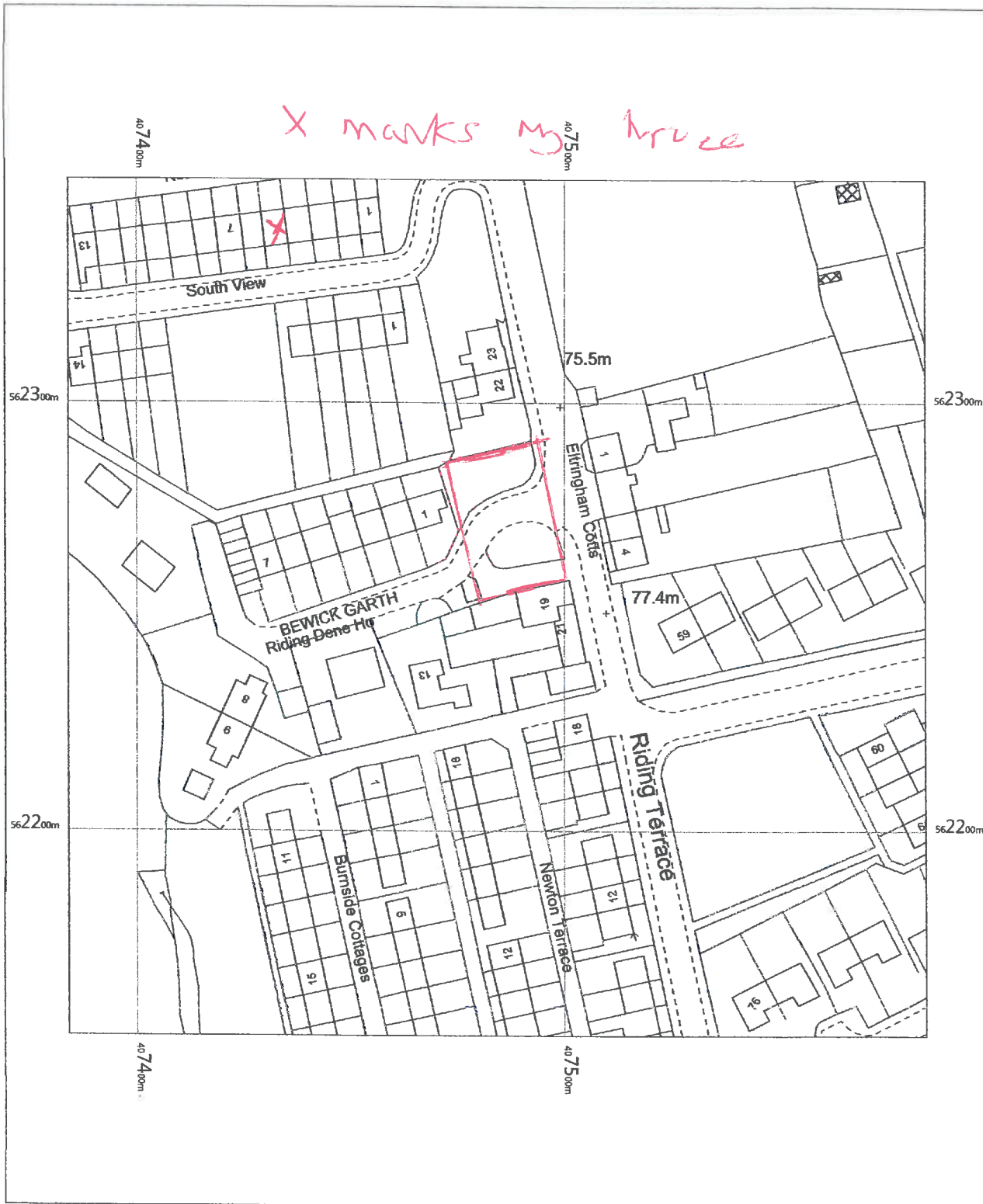
P.T.O

written knowing that this letter will be used in evidence to support the application to register the The Green as a village green. I fully support the application to ensure that The Green continues to be used to benefit the neighbourhood for years to come.

Yours sincerely,

ANDREA CHARLTON.

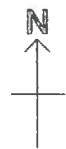
X marks my house



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Kathy Robson

From: David Brookes <david.brookes@northumberland.gov.uk>
Sent: 08 August 2019 11:23
To: Kathy Robson
Cc: Mike Robbins; Andrea Todd; Helen Lancaster
Subject: Re: Bewick Green, Mickley Square, Stocksfield, Northumberland

Kathy

Thank you for the email and attachments.

I can confirm that the central portion of the application site forms the highway known as Bewick Garth (U8281) and is maintainable at public expense by the Highway Authority.

The Highway Authority wishes to object to the application. The present day alignment of the highway seems to have been in place since approximately 1980 and map evidence appears to indicate that there was an access road across the claimed route since 1921.

The Highway Authority objection is that this part of the application site is a public right of way for highway purposes for all types of traffic and questions whether its statutory registration as a village green is compatible with it being a highway.

Let me know when you will require further information.

Ragards

David

On Thu, 8 Aug 2019 at 07:08, Kathy Robson <Kathy.Robson@northumberland.gov.uk> wrote:

SENT ON BEHALF OF HELEN LANCASTER, PRINCIPAL SOLICITOR, LEGAL SERVICES

Mike, David,

The Council in its capacity of Commons Registration Authority has received an application under Section 15 of the Commons Act 2006 for inclusion in the Register of Town or Village Greens. I enclose Form 45 together with a copy of the plan provided by the applicant from which you will see that any representations must be received by the Commons Registration Authority on or before 3 October 2019.

If you wish to make representations/wish advice with regard to the application please contact Lynne Jackson who should be able to assist you further. Lynne is on annual leave but is back 12 August. If you require a copy of the application please contact Kathy Robson.

Many thanks,

Helen Lancaster
Principal Solicitor
Legal Services

Northumberland County Council
County Hall
Morpeth
NE61 2EF

Telephone: 01670 623323

Fax: 01670 626030

E-mail: Helen.Lancaster@northumberland.gov.uk

Website: <http://www.northumberland.gov.uk>

--

David Brookes
Infrastructure Records Manager
Technical Services
County Hall
Morpeth
Northumberland
NE612EF

Tel: 01670 624134

EMail: david.brookes@northumberland.gov.uk

Bewick House, Bewick Garth, Mickley Square, Northumberland NE 43 7AU

28th October 2019

Helen Lancaster,
Principal Solicitor,
Legal Services,
Northumberland County Council,
County Hall,
Morpeth,
NE61 2EF

Dear Mrs Lancaster,

Application for Village Green – Mickley Square

Thank you for your letter of 24th October 2019 (ref HL/012406) informing me, as applicant for the registration of the village green at Mickley Square, of a representation from the Highway Authority and providing me the opportunity for dealing with the matters contained.

I contend that the existence of a public road across the Green is not a reason to refuse the application and that the Highway Authority objection is not valid.

In making the case for the Green to be registered under the Commons Act 2006, I am required to show, at Section 15 (3), that

- (a) a significant number of inhabitants
- (b) of any locality or neighbourhood within a locality
- (c) have indulged as of right
- (d) in lawful sports and pastimes
- (e) on the land
- (f) for a period of at least 20 years
- (g) and continue to do so at the date of the application

In commenting of the definition “on the land”, John Riddall in ‘Getting Greens Registered’ (Open Space Society, third edition, 2017) states that:

The 2006 Act makes no reference to highway land. There is nothing to stop all or part of a highway being regarded as a town or village green if the circumstances justify this. Areas of open land alongside minor roads frequently do have a long-standing pattern of local recreational use, as opposed to one of mere passage from A to B. Many have already been successfully registered under the 1965 Act.

Registration arguably has no effect on the highway status of the land. Equally, the ‘public’ status of a highway does not nullify a claim that all or part of it is a green, so long as it is clear that the recreational use (as opposed to a mere passage along the highway) which takes place there is primarily or exclusively by local people.

In support of this assertion Riddall cites: the Commons Commissioner decisions in re Medstead Village Green, Hampshire (1979) 214/D/113 and in re The Green, Hargrave, Suffolk (1979) 234/D/79. 77 R (Whitmey) v Commons Commissioners [2004] EWCA Civ 951; [2005] QB 282 78 McLaren v Kubiak [2007] EWHC 1065 (Ch),

I therefore conclude that the fact that the highway known as Bewick Garth (U8281) crosses the proposed Green is not a valid reason for it not to be registered.

The registration does not in any way prevent the Highway Authority from maintaining the road or affect the rights of the public to use the road. Neither does it relieve the Highway Authority of the responsibility of maintaining it. In short, the registration does not alter the situation with respect to the highway in any way.

The representation from the Highway Authority, as far as I can see from the advice of Open Space Society, does not prevent the Village Green at Mickley Square from being registered.

Yours sincerely,

George Hepburn OBE

**IN THE MATTER OF AN APPLICATION TO REGISTER LAND AT BEWICK
GREEN IN MICKLEY SQUARE AS A TOWN OR VILLAGE GREEN**

AND IN THE MATTER OF THE COMMONS ACT 2006 (AS AMENDED)

DIRECTIONS

1. I am instructed by Northumberland County Council in its capacity as the relevant registration authority to act as an independent inspector and to conduct a Public Inquiry for the purposes of consideration of the above application for registration of land as a town or village green. The below Directions provide for the procedure and preparatory steps to be adopted in respect of the Inquiry.

- (1) The present time estimate for the Inquiry is 1 day. It is intended that the Inquiry be conducted remotely subject to any submissions from the parties as to the non-suitability of this Inquiry to be heard remotely (by Zoom or MS Teams).
- (2) There will be a pre-inquiry hearing (to be conducted remotely) on the first suitable date on or after 1st December 2020. The purpose of the pre-inquiry hearing will be to address *among others* the procedure for the Inquiry and the mechanics of a remote Inquiry. It will allow the opportunity for any queries to be raised by the Applicant as I am conscious he is not legally represented.
 - i. The Parties shall provide their availability for a pre-inquiry hearing (time estimate 1 hour) between 1st December and 18th December 2020. They should do so by no later than 17th November 2020.
 - ii. The Parties shall provide the Registration Authority with an email address of the representative who will attend the Pre-Inquiry Hearing on their behalf by no later than 7 days before the hearing. An email invitation will be sent by return which will allow attendance at the hearing regardless of the software on the device. In default of all parties having access to a camera-enabled device, the hearing will proceed without video.

(3) The Inquiry itself will be listed on a suitable date in a window between 18th January 2021 and 31st March 2020. The following directions shall apply in relation to the Inquiry.

- i. Each party is entitled to call oral evidence from no more than 4 witnesses for the purposes of the Inquiry.
- ii. No later than 14 days before the date of the Inquiry, the parties shall each provide to the Registration Authority three copies of a bundle of documents containing:-

1. A list of witnesses whom they intend to call to give oral evidence.
2. A bundle containing (i) any signed and dated witness statements, letters, questionnaires or proofs of evidence of every witness the Party intends to call, containing the substance of their evidence (for the avoidance of doubt this can be the existing evidence already served and/or updated evidence on behalf of a witness); (ii) all other witness statements (if any), evidence questionnaires, statutory declarations and affidavits upon which the Party wishes to rely; and, (iii) any other documents (including maps and photographs) which are relied upon.
3. If desired, an outline of their case together with any skeleton argument or legal submissions and copies of any legal authorities which are to be relied upon.

iii. Thereafter the Registration Authority will circulate copies of the respective bundles to the parties as soon as possible together with an Inquiry bundle which shall contain the following:-

1. Copies of the Application, the Objection and all letters of support to the application or letters of objection sent to the Registration Authority.
2. Copies of all correspondence between the Registration Authority, the Applicant and the Objector.

3. A plan and statement as to the extent and nature of any public right of way or ways passing over or in the vicinity of the application land (including a copy of any relevant definitive map and statement)
- iv. The parties shall provide the Registration Authority with dates of availability for a one day inquiry in the above window by no later than 27th November 2020. It is envisaged that witnesses will give evidence remotely and subject to a time-table to be agreed at the pre-inquiry hearing to minimise disruption.
- v. The Registration Authority will publicise the Inquiry by placing an advertisement in a local newspaper circulating in the area of the land subject to the application and by posting notices at the main points of entry to the town or village green (or, if there are no such places, in a conspicuous place at the site), as well as on its website, not later than 14 days before the date of the Inquiry. If the Inquiry is to proceed remotely (as will be determined at the pre-inquiry hearing), the advertisements will invite members of the public who wish to participate or attend the Inquiry to provide an email address by way of registration in order that they can be provided with an online link enabling them to join the Inquiry remotely. Any interested person shall be entitled, on reasonable notice and in Registration Authority business hours, to inspect the inquiry bundle held by the Registration Authority up until the conclusion of the Inquiry.
- vi. The sitting hours are subject to any direction by the Inspector during the course of the Inquiry, but will generally be from 9.30am to 11.30am, 12.30pm to 2.30pm, and 3pm to 5pm. The Inquiry will usually be conducted in the following order:-
 - Opening Remarks by the Inspector.
 - Any Opening statement by the Applicant.
 - The evidence of the Applicant's witnesses (including cross-examination and re-examination).
 - Any opening statement by the Objector.

The evidence of the Objector's witnesses (including cross-examination and re-examination).

Evidence and submissions by members of the public, at the discretion of the Inspector.

Any closing submissions by the Parties.

Any closing observations by the Inspector.

- vii. Witnesses and/or submissions may be heard out of order at the discretion of the Inspector and evidence will be given unsworn. If the matter proceeds remotely it will be likely that written closing statements will be directed to be provided within 7 days of completion of oral evidence at the Inquiry. The Inspector will hold an unaccompanied site visit to the application site and the parties can assume that such a site visit will have been undertaken by the time of the Pre-Inquiry Hearing.

- (4) The Applicants or the Objector may make a written application to the Inspector through the Registration Authority to vary or supplement these directions at any time before the Inquiry commences. The Inspector may supplement or vary these directions at any time prior to the commencement of the Inquiry, with or without such an application.
- (5) The Inspector will provide the Registration Authority with a report and recommendation to assist the Registration Authority in deciding whether or not to grant the application.
- (6) With these directions, the Registration Authority will provide its relevant contact details relating to any matter set out above, including an address for services of documents and an email address for ongoing correspondence.

JAMES MARWICK
Trinity Chambers
10th NOVEMBER 2020

Kathy Robson

From: Helen Lancaster
Sent: 16 November 2020 14:18
To: David Brookes
Subject: RE: Application for village green - land at Mickley Square, Stocksfield, Northumberland

Hi David,

I now enclose a link to a pre-inquiry meeting which Counsel has suggested takes place at 11:00am on 8 December 2020.

“Please see the below details for a Zoom meeting at 11am on the 8 December for you to pass to the participants.

Trinity Chambers is inviting you to a scheduled Zoom meeting.

Topic: Mickley Square Village Green

Time: Dec 8, 2020 11:00 AM London

Join Zoom Meeting

<https://zoom.us/j/97485240887?pwd=NmcYTGnpTHV3WjNpYkFIOGpvV0FQZz09>

Meeting ID: 974 8524 0887

Passcode: JMarwick”

Please let me know if the time/date is no good for you.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: David Brookes <David.Brookes@northumberland.gov.uk>
Sent: 13 November 2020 08:35
To: Helen Lancaster <Helen.Lancaster@northumberland.gov.uk>
Subject: Re: Application for village green - land at Mickley Square, Stocksfield, Northumberland

Helen

I should be available on any Wed/Thurs/Fri on those dates - I do not normally work Mon-Tues but can be flexible if required.

Cheers

David

From: Helen Lancaster <Helen.Lancaster@northumberland.gov.uk>

Sent: Tuesday, November 10, 2020 7:00 PM

To: David Brookes <David.Brookes@northumberland.gov.uk>

Subject: FW: Application for village green - land at Mickley Square, Stocksfield, Northumberland

David,

You may recall some time ago that I e-mailed you to notify you an application for village green status in relation to land at Mickley Square Stocksfield to which you submitted an objection.

I now enclose some Directions prepared by Counsel, James Marwick with regard to how the application should proceed from this point. The Directions have also been forwarded to the applicant.

In accordance with the Directions I therefore look forward to hearing from you with your availability for a pre-inquiry hearing between 1st December and 18th December 2020 by 17th November 2020 (should you wish to attend). As stated previously, should you require assistance from Legal Services with regard to the proposed Inquiry please contact Lynne Jackson.

Many thanks,

Helen Lancaster
Principal Solicitor (Corporate and Governance Team)
Northumberland County Council
County Hall, Morpeth,
Northumberland
NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

Kathy Robson

From: George Hepburn <[REDACTED]>
Sent: 25 November 2020 14:01
To: Helen Lancaster
Subject: Re: FW: Application for village green - land at Mickley Square, Stocksfield, Northumberland

Dear Mrs Lancaster,

The Inspector has asked for dates when I am not available for the Inquiry between 18th Jan and 31st March.

I am sorry I am not available on 18th Jan , 19th Jan, 8 March, 16 March and from 25th - 31st March.

One of the people I wish to call as a witness is only available on a Wednesday and Friday due to commitments as a key worker so would request the Inquiry is held on one of those days if at all possible.

And finally I confirm that I will be attending the pre INquiry meeting on 8th December and that my email is as above.

Best wishes, George

tel: [REDACTED]

On Mon, 16 Nov 2020 at 14:19, George Hepburn <[REDACTED]> wrote:

Thank you, thats great and confirm the time is good for me.

Could you let me know in due course, who else will be attending please.

Best wishes, George

tel: [REDACTED]

On Mon, 16 Nov 2020 at 14:07, Helen Lancaster <Helen.Lancaster@northumberland.gov.uk> wrote:

Mr Hepburn,

Further to my e-mail below I have now received details of the time, date and joining instructions for the pre hearing meeting with Counsel:

“Please see the below details for a Zoom meeting at 11am on the 8 December for you to pass to the participants.

Trinity Chambers is inviting you to a scheduled Zoom meeting.

Topic: Mickley Square Village Green

Time: Dec 8, 2020 11:00 AM London

Join Zoom Meeting

<https://zoom.us/j/97485240887?pwd=NmcyTGNoTHV3WjNpYkFIOGpvV0FQZz09>

Meeting ID: 974 8524 0887

Passcode: JMarwick”

Of course, please let me know if this time/date is no good for you.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: Helen Lancaster
Sent: 16 November 2020 10:56
To: 'George Hepburn' <[REDACTED]>
Subject: RE: FW: Application for village green - land at Mickley Square, Stocksfield, Northumberland

Mr Hepburn,

Thank you for your e-mail enclosing your availability; I confirm that I have forwarded this to Counsel's Clerk and so you should receive a date for the pre meeting once Counsel has confirmed his availability.

In response to the point raised in your previous e-mail namely whether you

"have to make the case from scratch all over again for registration as I think you have already accepted the case has been made.

Or does the inquiry just concern the objection from the Highway"

I confirm that all of the information you have submitted so far (and any additional information you submit between now and the final hearing) will be considered by the Inspector when he makes his final recommendation with regard to your application.

No decision has been made with regard to your application as yet other than it should proceed to an Inquiry. The Inquiry will consider whether the statutory grounds for registration have been made out and within that will also consider the objection from Highways (together with any additional information that they may submit).

I hope that this assists; I will be in touch shortly with a date for the pre hearing meeting.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: George Hepburn <[REDACTED]>
Sent: 16 November 2020 09:23
To: Helen Lancaster <Helen.Lancaster@northumberland.gov.uk>
Subject: Re: FW: Application for village green - land at Mickley Square, Stocksfield, Northumberland

Dear Mrs Lancaster,

I am available for a pre meeting with the Inspector between 1 Dec and 17th Dec except for the following dates:

2nd Dec

4th Dec

8th Dec after 3pm

9th Dec

16th Dec before 12 noon

17th Dec before 12 noon

I hope this gives enough options for all concerned and could move appointments arounds on most of the above dates if needs be.

I look forward to hearing from you.

Best wishes, George

tel: [REDACTED]

On Tue, 10 Nov 2020 at 18:55, Helen Lancaster <Helen.Lancaster@northumberland.gov.uk> wrote:

Dear Mr Hepburn,

Further to previous correspondence I now enclose some Directions prepared by Counsel, James Marwick with regard to how the application should proceed from this point. The Directions have also been forwarded to the Highway Authority.

In accordance with the Directions I therefore look forward to hearing from you with your availability for a pre-inquiry hearing between 1st December and 18th December 2020 by 17th November 2020.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

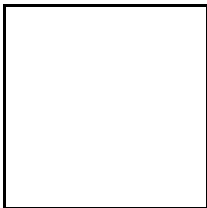
01670 623323

Helen.lancaster@northumberland.gov.uk

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CONTROL THE VIRUS
SAVE LIVES**

**CORONAVIRUS
STAY ALERT
TO STAY SAFE**

- Keep a safe distance from others
- Stay home as much as possible
- Keep washing your hands regularly

UK Government
NHS
Northumberland County Council

Kathy Robson

From: Helen Lancaster
Sent: 30 November 2020 16:49
To: Lynne Jackson
Cc: Neil Masson
Subject: RE: Application for village green - land at Mickley Square, Stocksfield, Northumberland

Hi Lynne,

Thank you for that – those dates are noted.

I confirm that other than that of David Brookes there were no other objections lodged.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: Lynne Jackson <Lynne.Jackson@northumberland.gov.uk>
Sent: 25 November 2020 17:46
To: Helen Lancaster <Helen.Lancaster@northumberland.gov.uk>
Cc: Neil Masson <Neil.Masson@northumberland.gov.uk>
Subject: RE: Application for village green - land at Mickley Square, Stocksfield, Northumberland

Dear Helen,

Further to my e mail below, I am now able to advise that David will not be attending the pre-Inquiry meeting on 8 December, but as previously advised I am available for that.

At the moment, both David and I are available during the period 18 January – 31 March 2021 for an Inquiry.

Kind regards,

Lynne

Lynne Jackson
Lawyer
Legal Services
Northumberland County Council
County Hall
Morpeth
Northumberland
NE61 2EF

E mail - Lynne.Jackson@northumberland.gov.uk
Mob. - 07966325146

From: Lynne Jackson
Sent: 24 November 2020 13:49
To: Helen Lancaster <Helen.Lancaster@northumberland.gov.uk>
Cc: neil.masson@northumberland.gov.uk
Subject: RE: Application for village green - land at Mickley Square, Stocksfield, Northumberland

Helen,

Thank you for your e mail of 23 November below.

As previously advised, I am instructed to represent the Council as Highway Authority, and I will be attending the pre-Inquiry meeting on 8 December.

I have asked David to confirm whether or not he also will be attending the pre-Inquiry meeting and I will confirm as soon as I am able to do so.

In the meantime, can you please let me have details of any other objections received in respect of this Application.

Kind regards,

Lynne

Lynne Jackson
Lawyer
Legal Services
Northumberland County Council
County Hall
Morpeth
Northumberland
NE61 2EF

E mail - Lynne.Jackson@northumberland.gov.uk
Mob. - 07966325146

From: Helen Lancaster <Helen.Lancaster@northumberland.gov.uk>
Sent: 23 November 2020 14:25
To: Lynne Jackson <Lynne.Jackson@northumberland.gov.uk>
Subject: FW: Application for village green - land at Mickley Square, Stocksfield, Northumberland

Lynne,

I enclose scanned copy application, objection from David Brookes, response from the applicant and Inspector's Directions.

The pre-hearing meeting is due to take place remotely at 11:00 on 8th December 2020; I enclose copy e-mail sent to David Brookes in this regard.

Many thanks,

Helen

Kathy Robson

From: George Hepburn <[REDACTED]>
Sent: 08 December 2020 11:45
To: Helen Lancaster
Subject: Application documents

Dear Mrs Lancaster,

At some point before you submit the application document, can I check what is included. For example there was a revised plan and stat dec in app April 19 and then also my letter of 28th October 2019 commenting on the highways objection and Im hoping that you will be circulating these documents as part of the application papers.

Best wishes, George

tel: [REDACTED]

Kathy Robson

From: Helen Lancaster
Sent: 14 January 2021 16:48
To: Lynne Jackson
Subject: RE: Application for village green - land at Mickley Square, Stocksfield, Northumberland

Hi Lynne,

I sent reminder to the Inspector yesterday and will follow this up early next week if I have not heard from him by then.

Many thanks,

Helen Lancaster

From: Lynne Jackson <Lynne.Jackson@northumberland.gov.uk>
Sent: 14 January 2021 13:04
To: Helen Lancaster <Helen.Lancaster@northumberland.gov.uk>
Cc: Neil Masson <Neil.Masson@northumberland.gov.uk>
Subject: RE: Application for village green - land at Mickley Square, Stocksfield, Northumberland

Helen,

Further to our virtual pre-hearing meeting on 8 December 2021, have you received any formal written further directions from the Inspector?

Kind regards,

Lynne

Lynne Jackson
Lawyer
Legal Services
Northumberland County Council
County Hall
Morpeth
Northumberland
NE61 2EF

E mail - Lynne.Jackson@northumberland.gov.uk
Mob. - 07966325146

From: Helen Lancaster <Helen.Lancaster@northumberland.gov.uk>
Sent: 30 November 2020 16:49
To: Lynne Jackson <Lynne.Jackson@northumberland.gov.uk>
Cc: Neil Masson <Neil.Masson@northumberland.gov.uk>
Subject: RE: Application for village green - land at Mickley Square, Stocksfield, Northumberland

Hi Lynne,

Thank you for that – those dates are noted.

I confirm that other than that of David Brookes there were no other objections lodged.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

Northumberland

NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: Lynne Jackson <Lynne.Jackson@northumberland.gov.uk>

Sent: 25 November 2020 17:46

To: Helen Lancaster <Helen.Lancaster@northumberland.gov.uk>

Cc: Neil Masson <Neil.Masson@northumberland.gov.uk>

Subject: RE: Application for village green - land at Mickley Square, Stocksfield, Northumberland

Dear Helen,

Further to my e mail below, I am now able to advise that David will not be attending the pre-Inquiry meeting on 8 December, but as previously advised I am available for that.

At the moment, both David and I are available during the period 18 January – 31 March 2021 for an Inquiry.

Kind regards,

Lynne

Lynne Jackson

Lawyer

Legal Services

Northumberland County Council

County Hall

Morpeth

Northumberland

NE61 2EF

E mail - Lynne.Jackson@northumberland.gov.uk

Mob. - 07966325146

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To: Helen Lancaster <Helen.Lancaster@northumberland.gov.uk>
Cc: neil.masson@northumberland.gov.uk
Subject: RE: Application for village green - land at Mickley Square, Stocksfield, Northumberland

Helen,

Thank you for your e mail of 23 November below.

As previously advised, I am instructed to represent the Council as Highway Authority, and I will be attending the pre-Inquiry meeting on 8 December.

I have asked David to confirm whether or not he also will be attending the pre-Inquiry meeting and I will confirm as soon as I am able to do so.

In the meantime, can you please let me have details of any other objections received in respect of this Application.

Kind regards,

Lynne

Lynne Jackson
Lawyer
Legal Services
Northumberland County Council
County Hall
Morpeth
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NE61 2EF

E mail - Lynne.Jackson@northumberland.gov.uk
Mob. - 07966325146

From: Helen Lancaster <Helen.Lancaster@northumberland.gov.uk>
Sent: 23 November 2020 14:25
To: Lynne Jackson <Lynne.Jackson@northumberland.gov.uk>
Subject: FW: Application for village green - land at Mickley Square, Stocksfield, Northumberland

Lynne,

I enclose scanned copy application, objection from David Brookes, response from the applicant and Inspector's Directions.

The pre-hearing meeting is due to take place remotely at 11:00 on 8th December 2020; I enclose copy e-mail sent to David Brookes in this regard.

Many thanks,

Helen

Steven Briggs

From: Lynne Jackson
Sent: 14 January 2021 21:15
To: Helen Lancaster
Subject: Re: Application for village green - land at Mickley Square, Stocksfield, Northumberland

Hi Helen,

Thanks for your e mail.

Having now spoken to David further I am authorised to put forward the following proposal.

The Council, as Highway Authority, objects only to the inclusion of the adopted highway in the application for village green. The Council's proposal is that if the full extent of the adopted highway can be removed from the application, the Council will withdraw its objection to the application.

Can this be put to the Applicant please?

Kind regards

Lynne

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From: Helen Lancaster <Helen.Lancaster@northumberland.gov.uk>
Sent: Thursday, January 14, 2021 4:47:43 PM
To: Lynne Jackson <Lynne.Jackson@northumberland.gov.uk>
Subject: RE: Application for village green - land at Mickley Square, Stocksfield, Northumberland

Hi Lynne,

I sent reminder to the Inspector yesterday and will follow this up early next week if I have not heard from him by then.

Many thanks,

Helen Lancaster

From: Lynne Jackson <Lynne.Jackson@northumberland.gov.uk>
Sent: 14 January 2021 13:04
To: Helen Lancaster <Helen.Lancaster@northumberland.gov.uk>
Cc: Neil Masson <Neil.Masson@northumberland.gov.uk>
Subject: RE: Application for village green - land at Mickley Square, Stocksfield, Northumberland

Helen,

Further to our virtual pre-hearing meeting on 8 December 2021, have you received any formal written further directions from the Inspector?

Kind regards,

Lynne

Lynne Jackson

Lawyer

Legal Services

Northumberland County Council

County Hall

Morpeth

Northumberland

NE61 2EF

E mail - Lynne.Jackson@northumberland.gov.uk

Mob. - 07966325146

From: Helen Lancaster <Helen.Lancaster@northumberland.gov.uk>

Sent: 30 November 2020 16:49

To: Lynne Jackson <Lynne.Jackson@northumberland.gov.uk>

Cc: Neil Masson <Neil.Masson@northumberland.gov.uk>

Subject: RE: Application for village green - land at Mickley Square, Stocksfield, Northumberland
Hi Lynne,

Thank you for that – those dates are noted.

I confirm that other than that of David Brookes there were no other objections lodged.

Many thanks,

Helen Lancaster

Principal Solicitor (Corporate and Governance Team)

Northumberland County Council

County Hall, Morpeth,

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NE61 2EF

01670 623323

Helen.lancaster@northumberland.gov.uk

From: Lynne Jackson <Lynne.Jackson@northumberland.gov.uk>

Sent: 25 November 2020 17:46

To: Helen Lancaster <Helen.Lancaster@northumberland.gov.uk>

Cc: Neil Masson <Neil.Masson@northumberland.gov.uk>

Subject: RE: Application for village green - land at Mickley Square, Stocksfield, Northumberland

Dear Helen,

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At the moment, both David and I are available during the period 18 January – 31 March 2021 for an Inquiry.

Kind regards,

Lynne

Lynne Jackson

Lawyer

Legal Services

Northumberland County Council

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From: Lynne Jackson

Sent: 24 November 2020 13:49

To: Helen Lancaster <Helen.Lancaster@northumberland.gov.uk>

Cc: neil.masson@northumberland.gov.uk

Subject: RE: Application for village green - land at Mickley Square, Stocksfield, Northumberland

Helen,

Thank you for your e mail of 23 November below.

As previously advised, I am instructed to represent the Council as Highway Authority, and I will be attending the pre-Inquiry meeting on 8 December.

I have asked David to confirm whether or not he also will be attending the pre-Inquiry meeting and I will confirm as soon as I am able to do so.

In the meantime, can you please let me have details of any other objections received in respect of this Application.

Kind regards,
Lynne
Lynne Jackson
Lawyer
Legal Services
Northumberland County Council
County Hall
Morpeth
Northumberland
NE61 2EF
E mail - Lynne.Jackson@northumberland.gov.uk
Mob. - 07966325146

From: Helen Lancaster <Helen.Lancaster@northumberland.gov.uk>

Sent: 23 November 2020 14:25

To: Lynne Jackson <Lynne.Jackson@northumberland.gov.uk>

Subject: FW: Application for village green - land at Mickley Square, Stocksfield, Northumberland

Lynne,

I enclose scanned copy application, objection from David Brookes, response from the applicant and Inspector's Directions.

The pre-hearing meeting is due to take place remotely at 11:00 on 8th December 2020; I enclose copy e-mail sent to David Brookes in this regard.

Many thanks,

Helen

Kathy Robson

From: Helen Lancaster
Sent: 19 January 2021 07:41
To: George Hepburn
Subject: Mickley Square - application for village green

Dear Mr Hepburn,

I write further to previous correspondence and the pre-hearing meeting and confirm that I have been asked by the legal representative for the Highways Authority to put forward the following;

“The Council, as Highway Authority, objects only to the inclusion of the adopted highway in the application for village green. The Council's proposal is that if the full extent of the adopted highway can be removed from the application, the Council will withdraw its objection to the application.

Can this be put to the Applicant please?”

I wonder if you would be able to consider the proposal and revert to me further?

Many thanks,

Helen Lancaster
Senior Manager
Legal Services
Northumberland County Council
County Hall
Morpeth
Northumberland
NE61 2EF

Telephone: 01670 623323

Fax: 01670 626030

E-mail: helen.lancaster@northumberland.gov.uk

Website: <http://www.northumberland.gov.uk>

Kathy Robson

From: George Hepburn <[REDACTED]>
Sent: 23 January 2021 12:11
To: Helen Lancaster
Subject: Re: Mickley Square - application for village green

Dear Mrs Lancaster,

Thank you for your email with a proposal that the Council withdraws its objection to my applicant providing the road is removed from the application.

I have always understood that a road crossing a green is not a valid reason for objection and would make this case to the Inspector.

However, I would be more than happy for the road to be excluded providing this means that the Council will register the land excluding the road without further delay. This would presumably remove the trouble and cost involved in an enquiry?

But before I decide, could you please let me know what would happen next? I would not want to proceed in this way if it meant that I had to make a fresh application and unless you could give me a firm and reasonable timetable for this matter to be concluded.

However I hope that we can proceed in the manner proposed by the Council and that the green can now be registered.

Best wishes, George

tel: [REDACTED]

On Tue, 19 Jan 2021 at 07:41, Helen Lancaster <Helen.Lancaster@northumberland.gov.uk> wrote:

Dear Mr Hepburn,

I write further to previous correspondence and the pre-hearing meeting and confirm that I have been asked by the legal representative for the Highways Authority to put forward the following;

“The Council, as Highway Authority, objects only to the inclusion of the adopted highway in the application for village green. The Council's proposal is that if the full extent of the adopted highway can be removed from the application, the Council will withdraw its objection to the application.

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Website: <http://www.northumberland.gov.uk>

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STAY ALERT
TO STAY SAFE**

- Keep a safe distance from others
- Stay home as much as possible
- Keep washing your hands regularly

UK Government
NHS
Northumberland
County Council

Kathy Robson

From: Helen Lancaster
Sent: 25 January 2021 11:22
To: George Hepburn
Subject: RE: Mickley Square - application for village green
Attachments: Inspector's Directions BEWICK GREEN (FINAL).docx

Dear Mr Hepburn,

Thank you for your e-mail which I will forward to Counsel for any comments he may have.

In the interim I have attached a copy of the further Directions of Mr Marwick a copy of which will also be sent to the Highways Authority.

I will of course get back to you once I have heard further from Counsel.

Many thanks,

Helen Lancaster
Senior Manager
Legal Services
Northumberland County Council
County Hall
Morpeth
Northumberland
NE61 2EF

Telephone: 01670 623323
Fax: 01670 626030
E-mail: helen.lancaster@northumberland.gov.uk
Website: <http://www.northumberland.gov.uk>

From: George Hepburn <[REDACTED]>
Sent: 23 January 2021 12:11
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But before I decide, could you please let me know what would happen next? I would not want to proceed in this way if it meant that I had to make a fresh application and unless you could give me a firm and reasonable timetable for this matter to be concluded.

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Best wishes, George

tel: [REDACTED]

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Many thanks,

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Legal Services
Northumberland County Council
County Hall
Morpeth

Northumberland
NE61 2EF

Telephone: 01670 623323

Fax: 01670 626030

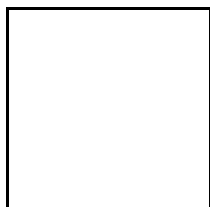
E-mail: helen.lancaster@northumberland.gov.uk

Website: <http://www.northumberland.gov.uk>

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**IN THE MATTER OF AN APPLICATION TO REGISTER LAND AT BEWICK
GREEN IN MICKLEY SQUARE AS A TOWN OR VILLAGE GREEN**

AND IN THE MATTER OF THE COMMONS ACT 2006 (AS AMENDED)

FINAL DIRECTIONS

1. The below directions follow the Pre-Inquiry Review on 8th December 2020 and take account that the Inquiry in this matter will take place remotely on 3rd March 2021 (by Zoom) with likely limited further evidence from the parties.
 - (1) The Non-Statutory Public Inquiry will proceed remotely on 3rd March 2021 at 9.30am (with a time estimate of no longer than one day).
 - (2) The Parties shall provide the Registration Authority with an email address of any representative or witness who will attend the Inquiry Hearing on their behalf by no later than 24th February 2021. An email invitation will be sent by return which will allow attendance at the hearing regardless of the software on the device.
 - (3) Each party is entitled to call oral evidence from no more than 4 witnesses for the purposes of the Inquiry. By 17th February 2021, the parties shall provide to the Inquiry:-
 - a) A bundle of documents (in pdf form, if possible), including any witness evidence, which they intend to rely on in addition to any witness evidence or documents already provided to the Registration Authority (*I bear in mind that the Applicant indicated he would be unlikely to be relying on any further evidence beyond that already filed and that the Objector would likely be relying on no more than one witness statement*).
 - b) If desired, an outline of their case together with any skeleton argument or legal submissions and copies of any legal authorities which are to be relied upon.

- (4) The Registration Authority will thereafter circulate a core inquiry bundle (including copies of relevant application and objection documentation, witness evidence already filed and correspondence between the parties, together with a plan and statement as to the extent and nature of any public right of way or ways passing over or in the vicinity of the application land (including a copy of any relevant definitive map and statement)).
- (5) The Registration Authority at the same time shall circulate any bundles of further documents filed by the parties in accordance with paragraph (3) above (again in default of any request to the contrary, in pdf form) and, if it is convenient, the same may be incorporated into the core bundle for ease of reference at the Inquiry.
- (6) The Registration Authority will publicise the Inquiry by placing an advertisement in a local newspaper circulating in the area of the land subject to the application and by posting notices at the main points of entry to the town or village green (or, if there are no such places, in a conspicuous place at the site), as well as on its website, by no later than 17th February 2021. The advertisement(s) will invite members of the public who wish to participate or attend the Inquiry to provide an email address by way of registration in order that they can be provided with an online link enabling them to join the Inquiry remotely.
- (7) Any interested person shall be entitled, on reasonable notice and in Registration Authority business hours (and subject to the practicalities of the same during any prevailing lockdown), to inspect the core inquiry bundle held by the Registration Authority up until the conclusion of the Inquiry.
- (8) The sitting hours are subject to any direction by the Inspector during the course of the Inquiry, but will generally be from 9.30am to 11.30am, 12.30pm to 2.30pm, and 3pm to 5pm.
- (9) The Applicants or the Objector may make a written application to the Inspector through the Registration Authority to vary or supplement these directions at any time before the Inquiry commences. The Inspector may supplement or vary these directions at any time prior to the commencement of the Inquiry, with or without such an application. The Inspector will provide the Registration Authority with a report and recommendation to assist the Registration Authority in deciding whether or not to grant the application.

19th January 2021

Kathy Robson

From: George Hepburn <[REDACTED]>
Sent: 25 January 2021 18:57
To: Helen Lancaster
Subject: Re: Mickley Square - application for village green

Dear Mrs Lancaster,

Thank you for forwarding the further instructions from Mr Marwick.

Can you tell me whether you will be submitting my application and witness statements as part of your 'bundle' or whether I need to do that separately?

Thank you.

Best wishes, George

tel: [REDACTED]

On Mon, 25 Jan 2021 at 11:22, Helen Lancaster <Helen.Lancaster@northumberland.gov.uk> wrote:

Dear Mr Hepburn,

Thank you for your e-mail which I will forward to Counsel for any comments he may have.

In the interim I have attached a copy of the further Directions of Mr Marwick a copy of which will also be sent to the Highways Authority.

I will of course get back to you once I have heard further from Counsel.

Many thanks,

Helen Lancaster

Senior Manager
Legal Services
Northumberland County Council
County Hall
Morpeth

Northumberland
NE61 2EF

Telephone: 01670 623323
Fax: 01670 626030

E-mail: helen.lancaster@northumberland.gov.uk

Website: <http://www.northumberland.gov.uk>

From: George Hepburn <[REDACTED]>
Sent: 23 January 2021 12:11
To: Helen Lancaster <Helen.Lancaster@northumberland.gov.uk>
Subject: Re: Mickley Square - application for village green

Dear Mrs Lancaster,

Thank you for your email with a proposal that the Council withdraws its objection to my applicant providing the road is removed from the application.

I have always understood that a road crossing a green is not a valid reason for objection and would make this case to the Inspector.

However, I would be more than happy for the road to be excluded providing this means that the Council will register the land excluding the road without further delay. This would presumably remove the trouble and cost involved in an enquiry?

But before I decide, could you please let me know what would happen next? I would not want to proceed in this way if it meant that I had to make a fresh application and unless you could give me a firm and reasonable timetable for this matter to be concluded.

However I hope that we can proceed in the manner proposed by the Council and that the green can now be registered.

Best wishes, George

tel: [REDACTED]

On Tue, 19 Jan 2021 at 07:41, Helen Lancaster <Helen.Lancaster@northumberland.gov.uk> wrote:

Dear Mr Hepburn,

I write further to previous correspondence and the pre-hearing meeting and confirm that I have been asked by the legal representative for the Highways Authority to put forward the following;

“The Council, as Highway Authority, objects only to the inclusion of the adopted highway in the application for village green. The Council's proposal is that if the full extent of the adopted highway can be removed from the application, the Council will withdraw its objection to the application.

Can this be put to the Applicant please?”

I wonder if you would be able to consider the proposal and revert to me further?

Many thanks,

Helen Lancaster

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Northumberland County Council

County Hall
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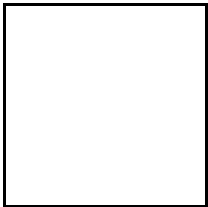
E-mail: helen.lancaster@northumberland.gov.uk

Website: <http://www.northumberland.gov.uk>

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TO STAY SAFE**

- Keep a safe distance from others
- Stay home as much as possible
- Keep washing your hands regularly

UK Government
NHS
Northumberland
County Council

Kathy Robson

From: George Hepburn <[REDACTED]>
Sent: 01 February 2021 19:43
To: Helen Lancaster
Subject: Re: FW: Mickley Square - application for village green

Dear Mrs Lancaster,

Thank you for the clarification. I understand the Inquiry must still establish whether the statutory test is met and confirm that I would be willing to exclude the road from the application to register as a green in order to simplify things on the understanding that I will not be required to make a fresh application or submit more plans.

I was tempted to pursue the point as I remember an early conversation, I think with yourself at County Hall, in which I was lead to believe that a road was not an impediment to registration, and it seems a pity to me if your colleagues in the Highways Authority raise this objection as a matter of course.

Thank you for your further help and look forward to receiving my bundle. I note I need to let you names and contacts of my witnesses in due course.

Best wishes, George

tel: [REDACTED]

On Fri, 29 Jan 2021 at 11:21, Helen Lancaster <Helen.Lancaster@northumberland.gov.uk> wrote:

Dear Mr Hepburn,

Thank you for your e-mail.

I confirm that I will be including your application and witness statements as part of the bundle.

With regard to your query in connection with the road being excluded and whether this means that the Council will register the land without further delay I confirm that if the highways authority objection is withdrawn, this would not automatically lead to registration of the land as the Registration Authority must consider whether the statutory test at section 15(2) is made out in relation to the land beyond the highway in any event. It would however narrow the issues to simply whether user of the land beyond the highway has been sufficient for registration and in that regard the Inquiry would be streamlined and focussed only on the matters mentioned above.

Withdrawal of part of your application would mean that the 'remaining' part of your application would continue and would not therefore mean that you would have to have to make a fresh application.

I hope that this assists and look forward to hearing from you further.

Many thanks,

Helen Lancaster

Senior Manager

Legal Services
Northumberland County Council
County Hall
Morpeth

Northumberland
NE61 2EF

Telephone: 01670 623323

Fax: 01670 626030

E-mail: helen.lancaster@northumberland.gov.uk

Website: <http://www.northumberland.gov.uk>

From: George Hepburn <[REDACTED]>
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Subject: Re: Mickley Square - application for village green

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tel: [REDACTED]

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Helen Lancaster

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Best wishes, George

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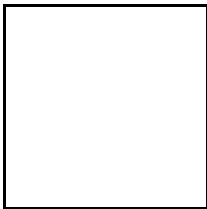
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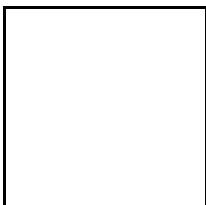
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- Keep washing your hands regularly

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NHS

Northumberland
County Council

Steven Briggs

From: Helen Lancaster
Sent: 04 February 2021 16:55
To: David Brookes
Cc: Lynne Jackson
Subject: FW: Mickley Square - application for village green
Attachments: Inspector's Directions BEWICK GREEN (FINAL).docx

Hi David,

Just to confirm that the applicant as agreed to exclude the highways land from his application.

Many thanks,

Helen Lancaster
Senior Manager
Legal Services
Northumberland County Council
County Hall
Morpeth
Northumberland
NE61 2EF

Telephone: 01670 623323
Fax: 01670 626030
E-mail: helen.lancaster@northumberland.gov.uk
Website: <http://www.northumberland.gov.uk>

From: Helen Lancaster
Sent: 25 January 2021 11:36
To: David Brookes <David.Brookes@northumberland.gov.uk>
Cc: Lynne Jackson <Lynne.Jackson@northumberland.gov.uk>
Subject: FW: Mickley Square - application for village green

David,

I enclose some Directions issued by the Inspector James Marwick and confirm that I have, on behalf of the Registration Authority put forward your proposal to the applicant.

I will get back to you further once I have a substantive response.

Many thanks,

Helen Lancaster
Senior Manager
Legal Services

Northumberland County Council
County Hall
Morpeth
Northumberland
NE61 2EF

Telephone: 01670 623323

Fax: 01670 626030

E-mail: helen.lancaster@northumberland.gov.uk

Website: <http://www.northumberland.gov.uk>

From: [Alex Bell](#)
To: [Helen Lancaster](#)
Subject: Bewick Green
Date: 17 February 2021 11:37:09

Helen

I can confirm that in relation to the above site (and its immediate vicinity), there are no public rights of way recorded on the Definitive Map, nor are there any applications pending to record any additional public rights of way on the Definitive Map.

Regards

Alex

Alex Bell
Definitive Map Officer
Technical Services
Northumberland County Council
County Hall
Morpeth
NE61 2EF
Tel: 01670 624133
Email: Alex.Bell@northumberland.gov.uk

Website: www.northumberland.gov.uk